

IN THESE TIMES

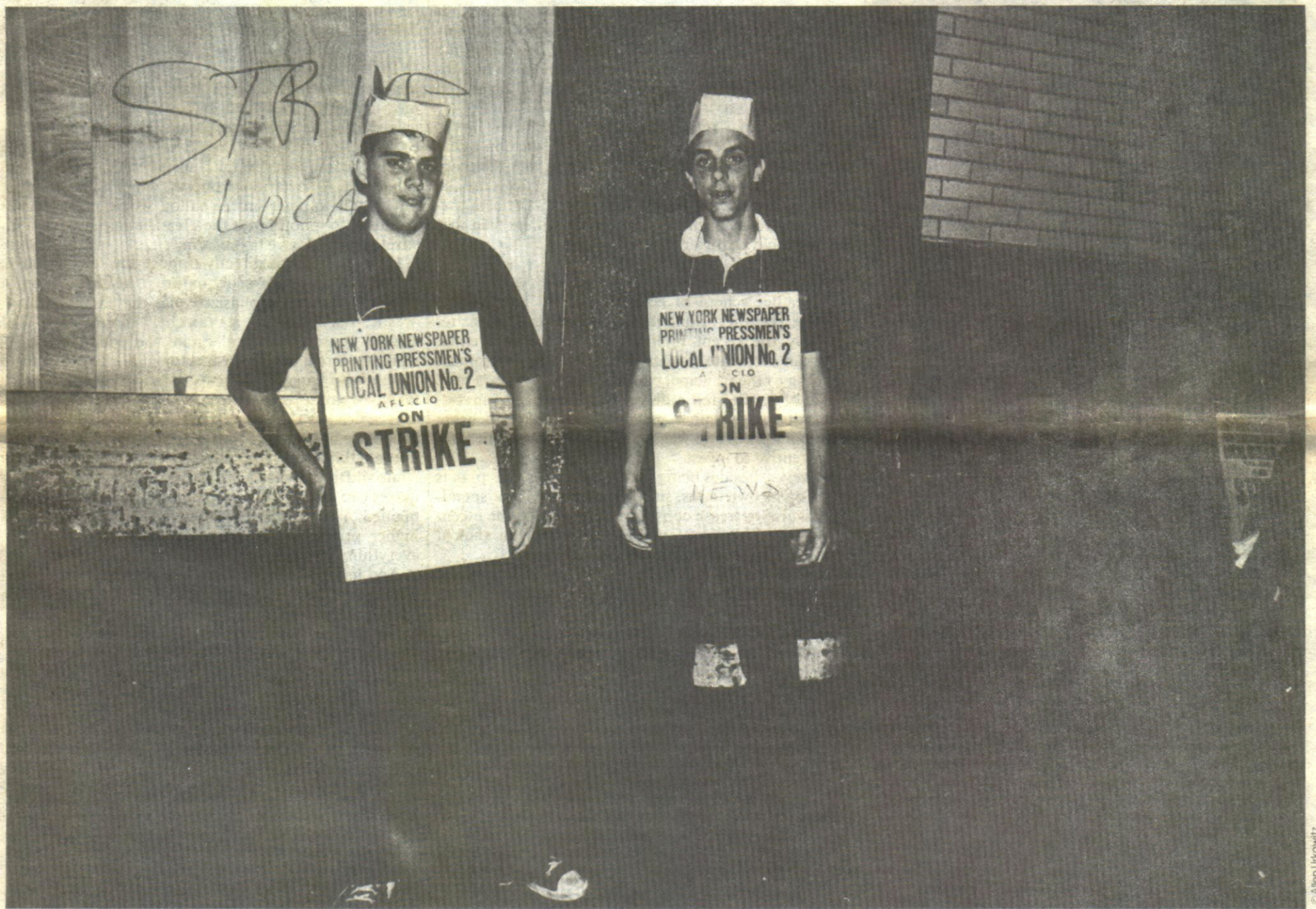


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PRESSMEN STRIKE!



REGGAE!

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THE INSIDE STORY

JOHN JUDIS



Richard Headlee

Corporate answer to Jarvis-Gann

"A little noticed item on the Michigan ballot may have greater significance for the longrun future of the U.S. than who is elected president." So spoke Milton Friedman, Nobel Prize winner and ex-advisor to Chile's Pinochet.

Friedman was referring to the Headlee tax initiative, named after Richard Headlee, the chairman of Michigan's Taxpayers United. If passed in November, the initiative will limit future state spending and taxation to the percentage of Michigan's total personal income it currently comprises, which is 9.2 percent. And it will require local or state referenda for any shift in or reform of the tax structure.

A similar initiative was defeated in 1976 with the opposition of Gov. William Milliken and the state's unions, but at this point the Headlee initiative appears to be a shoo-in. Both Milliken and his Democratic gubernatorial rival support it. Several state newspapers printed the initial petition for their readers to sign. One Detroit city council aide guessed that the initiative might even win in Detroit.

The group that drew up the initiative included top economists from Ford Motor Co. and Dow Chemical Co., the head of Michigan's Chamber of Commerce, and ex-Nixon-Ford economic advisor Paul McCracken. They represent the same corporate interests that opposed Jarvis-Gann in California. And they see the Headlee initiative as a sane, sophisticated alternative to Proposition 13, one that would not disrupt local services, but that would discipline a lax state bureaucracy, a profligate legislature, and an indolent workforce.

Vince Lombardi lives.

Initiative leader Richard Headlee is president of the Alexander Hamilton Life Insurance Co., headquartered in suburban Farmington Hills. He thinks of himself as a self-made man, the son of an "office-worker in a gypsum plant," who rose to the head of the Junior Chamber of Commerce and from there to the top of Alexander Hamilton.

The Alexander Hamilton Headquarters are housed in a colonial-type mansion, replete with a columned entrance, sweeping green lawns, and high wrought-iron gate. Headlee's second floor office is a curious combination of new world elegance and mid-American boosterism. The walls, the large desk, and the red leather chairs are of walnut. An open Bible and Churchill's multi-volume History of World War II are placed conspicuously on side-tables. On the walls are an imitation

French impressionist painting in an ornate gilt frame, an engraved poster on the virtues of love, and photos of Headlee with ex-President Gerald Ford.

In Headlee's bathroom, where he begins and ends the day, there is a saying from ex-Green Bay Packer Coach Vince Lombardi: "I am not going to go before the ball club without being able to exude confidence."

Headlee had been surprisingly eager to see me when I called, even promising to break a later date so he could talk longer with me. When I arrived at Alexander Hamilton, I found out why: No, I wasn't from the *New York Times*; I was from *IN THESE TIMES*. But after an awkward moment, Headlee plunged into the interview with an enthusiasm that Lombardi would have admired.

A bad example.

Headlee acknowledges that Jarvis-Gann's passage boosts his "little noticed" petition drive. Prior to June 6, United Taxpayers had gathered 200,000 signatures. A month later, they had gathered 466,000.

But Headlee is no fan of Jarvis-Gann. "Jarvis gave us a bad example of how to deal with a problem that has been generated over the last 30 years," Headlee said. The problem, as Headlee sees it, is the unchecked rise of the public sector at the expense of the private. In Michigan, Headlee notes, state spending has increased 250 percent in the last ten years, almost double the rise in personal income, and the number of state employees has increased 50.3 percent.

If the growth of the public sector were limited, Headlee reasons, it would discourage wasteful expenditures and encourage the growth of private industry.

Headlee praises Jarvis-Gann for "focusing on the arrogance of the public sector." But he disagrees with it as a "longterm solution." "Is disruption of local services the solution?" Headlee asks. Headlee thinks the whole range of state and local expenditure must be subjected to scrutiny; by merely reducing local taxes and expenditures, Jarvis-Gann doesn't do this.

For the same reason, Headlee objects to Jarvis-Gann's emphasis on property taxes. "If you don't deal with all forms of taxation, you don't deal with the problem," he said. "The only reason property taxes are the lightning rod is that people have to pay them in six-month cash installments. If income taxes were paid that way, it would be different."

An ancient faith.

The Headlee school of economics dates back to the early 19th century. Long thought to be dead, it was revived by the recent international capitalist decline. American corporate thinkers have fixed on government spending as the principal cause of higher prices, a lower rate of profit, and a decreasing incentive to invest. By cutting government spending, they hope to bring down both prices and wages and revive their profit rates and incentive to invest.

However, besides being hard on workers, this plan is wrong on its own terms, since lower government spending will also decrease consumer demand and the incentive to invest. But as fanatic adherents of an ancient faith, they are unwilling to listen to reason.

According to Headlee, his spending limitation will not only encourage business, it will also permit, in his words, "progressive government" to continue. I asked Headlee about this: Hadn't state spending gone up because the state had assumed, in a progressive manner, educational responsibilities for the post-war baby boom and health and welfare responsibilities for the persistently unemployed? Wouldn't his proposal curtail the state's responsibilities in these areas?

Headlee, who was smiling as I talked, tried to shock me out of my ignorance: "You know we could send 50 percent [of the state employees] back home and improve state services."

Headlee began to expound on bureaucratic waste: There were the 300 freeway designers, the 30 percent error rate in welfare expenditures... Under his plan, this waste would go; priorities would have to be set; and there was no reason that essential services would have to be curtailed.

But what was essential? As Headlee went on, it became clear that his idea of essential spending was different from that of many state employees, not to mention inner-city blacks. Michigan's unusually liberal unemployment compensation law would have to be tightened; its welfare system would have to be overhauled; and cities wouldn't go around giving overtime pay to firemen who worked over 50 hours.

Headlee is particularly enamored of welfare "workforce" programs that require welfare recipients to perform usually menial city jobs. "If you applied the workforce program to the public sector, you could cut the unemployment figure in half. People wouldn't feel they could just ride through."

I asked Headlee whether this meant that he was as concerned with disciplining Michigan's workforce as he was with disciplining the state bureaucracy. He readily agreed. "The system is building up in workers the idea that they have a right to take advantage of it," he said.

As a last attempt to extract some "progressive" sentiments, I asked Headlee about recessions. During recessions, personal income falls and welfare needs rise. Under the percentage spending limitation, the poor would therefore suffer. While the initiative would allow emergency funds upon the governor's request and a two-thirds vote of the legislature, Headlee made it clear how he would vote. "If the people's ability to pay becomes limited," he said, "so should the state's ability to spend."

A pro-er by nature.

Headlee's initiative will probably not be the only tax measure on the Michigan ballot. The Tisch initiative, named after the Shiawassee County Drain Commissioner, would cut property taxes in half, while permitting a rise in income taxes to take up the slack. A Michigan Education Association proposal, which the legislature must agree to place on the ballot, would put generous spending loopholes into the Headlee initiative and institute a progressive tax reform.

Headlee will not directly oppose the tax initiative. "I am not an opposer by nature," he said. "I am a pro-er." But he emphasized that the Tisch Initiative was a "tax shift" not a "tax cut." Noting that Tisch owned considerable real estate, he commented, "It would be a real benefit to apartment house owners and people who have investments in land. But the average taxpayer won't receive those benefits."

Headlee has also not yet taken a stand on the MEA proposal, but he made his position equally clear. He doesn't think any attempt to permit higher spending while shifting the tax burden from individuals to businesses can work. "Business doesn't pay taxes," he explained. They simply pass them on to the consumer as higher prices. "Ultimately the individual pays for everything."

And he rejects the modern liberal definition of government's role in favor of the 19th century definition. "Government was not designed to redistribute income," he said, "but to provide services that we cannot provide ourselves."

As I was getting ready to leave, Headlee hit upon a maxim that summed up his position: "There are tax shifts, tax reforms, and tax limitations," he said. "And of these tax limitation is the greater."

Note: In last week's column, I described General Baker as "founder of the League of Revolutionary Black Workers," implying incorrectly that he was the only founder.

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IN THE NATION

ELECTIONS



Kucinich beats back business alliance

By Dan Marschall

CLEVELAND

DENNIS J. KUCINICH, THE 31-year-old populist mayor of Cleveland, Ohio, has survived a recall election, the most serious, tumultuous battle of his 10-year career in city politics. On Aug. 13 Kucinich, who was elected only nine months ago, narrowly defeated a concerted effort by the city's economic, political and media establishment to kick him out of office.

The margin of victory for Kucinich was a scant 391 votes: .3 percent of the 120,000 votes cast. A recount, which is not expected to alter the final outcome, will be completed by Aug. 20.

The election polarized people sharply along class lines. A public opinion poll taken a week before the vote showed that pro-Kucinich (anti-recall) sentiment was strongest among the following categories: union members, unskilled and service workers, people without a college education, and those earning under \$5,000. Favoring the recall were professionals, business owners, skilled workers and college graduates.

During the last week of the mayor's anti-recall campaign, when *IN THESE TIMES* followed him from street fairs and community meetings to Baptist churches and radio talk shows, Kucinich articulated an unabashed anti-corporate perspective and reiterated that city government should serve the needs of "poor and working people" instead of Cleveland's "big business establishment."

To fulfill this objective, Kucinich steadfastly opposed tax abatements, the sale of *Muny Light* (the municipally-owned utility), and a new ore dock for Republic Steel that would have granted the company a multi-million-dollar subsidy. In the process he challenged the city's entrenched special interests, who became angered when he refused to play the usual political games of post-election compromise.

"The people elected me to this office to step on some big toes. That's exactly what I'm doing," Kucinich told a gathering of young blacks. "I don't go up to the company boardrooms cutting deals to sell out poor and working people.

Somehow that doesn't sit well with those who see the city as a place to make their bucks, make the decisions and then not live with those decisions because they can go off to the suburbs."

The comments of an older Slovenian woman who greeted Kucinich at the Broadway Street Fair were typical of those who opposed the recall. "What I like is that he said he'd help the poor," she said. "He

cacy of a recall. Only after the necessary signatures were gathered, and the Ohio courts turned back Kucinich's legal challenges, did they gradually swing their weight behind the campaign.

Special interests line up.

By mid-August every corporate-oriented special interest in the city was lined up against Kucinich:

In defeating the recall, Cleveland's mayor Dennis Kucinich reiterated that city government should serve poor and working people.

worked his way up from that background. He should be given a fair chance. I'll vote for him again."

Recall focuses on style.

The recall was initiated last March after Kucinich publicly fired Police Chief Richard Hongisto, who accused the mayor of ordering him to punish the mayor's political enemies. Though Hongisto's charges never were fully substantiated, the incident contributed to mounting accusations about the arrogant, abrasive handling of those who disagreed with administration policies.

A group of community residents on the predominantly white west side, many of whom had supported Ed Feighan, Kucinich's opponent in the last general election, then seized the issue of the administration's "style" to mount a recall effort. While the petition campaign involved hundreds of rank-and-file voters, it was spearheaded by individuals who would gain politically from Kucinich's ouster: a Cleveland State University professor who made a brief try for mayor in the 1977 primary, a recently-elected councilman who supported Feighan, and a Republican former councilman who was defeated by a challenger aligned with Kucinich.

At first Cleveland's business/political establishment was skeptical of the effi-

•The media. The city's three major newspapers supported the recall, along with two of the three major television stations. In addition to its editorial position, the *Cleveland Plain Dealer* poured forth a steady stream of patently distorted, anti-Kucinich "news reports" about alleged incompetence in the administration and the imminent financial collapse of the city. The newspaper brought in two of its top reporters from Washington, D.C., to do a series of articles entitled "Cleveland on the Brink," which detailed long-standing problems in the city's service, police, utility and fire departments.

Cleveland Magazine, in a psychological portrait of Kucinich, compared him to Adolph Hitler.

•Republican and Democratic Parties. Because Kucinich triumphed last November as an independent with his own political organization, both major parties perceived him as a severe threat. The Cuyahoga County Democratic Party and the Republican Party chairman supported the recall, along with 24 of the 33 members of City Council.

Because the Democrats control the Election Board, they changed the election rules in hopes of benefitting the recallers. The vote was scheduled for a Sunday and paper ballots were used instead of voting machines, thereby increasing the possibility of fraud, voter confusion and num-

erous disputed ballots.

•Business. The business community, fearing that their obvious involvement would lend credibility to Kucinich's charges of big business manipulation, kept a low profile during the recall. Instead their efforts were coordinated through the Greater Cleveland Growth Association, the city's representative of small and large business interests. The association reportedly formed a special committee of businessmen to plan recall efforts.

George Dobrea, the association's vice president for governmental affairs, denied that they had a "plan," but spoke of his hatred for Kucinich. "He's a bad son of a bitch," Dobrea told *IN THESE TIMES*. "He's done more damage to this city in the last six months than was imaginable. But Germany survived Hitler, and Cleveland will survive Dennis Kucinich."

•Labor unions. Despite the administration's pro-labor sentiments, the recall won the support of the Cleveland AFL-CIO Federation of Labor, the Teamsters, and District 28 of the United Steelworkers. The Steelworkers formed a separate Save Steelworkers' Jobs Committee, arguing that the mayor's objections to the Republic ore dock would wipe out jobs, and contributed \$15,000 for pro-recall television ads. In one leaflet District 28 director Frank Valenta denounced Kucinich as a "political agitator."

•Police. Because Kucinich has tried to reassert civilian control over a politically influential police department, they have hit the city with a series of job actions. A month before the vote, for example, the police staged a 19-hour strike seeking reinstatement of 13 cops fired for refusing the mayor's orders to patrol public housing projects on foot.

Incumbency an advantage.

"This just shows that I'm the underdog," Kucinich said in response to the forces arrayed against him. "I'm fighting great odds. The real problem is that my cabinet members are not hand-picked by big business interests so they can look after every special interest around."

To counter the recall effort, Kucinich utilized the traditional advantages of incumbency—access to media, supporters on the city payroll, etc.—along with the

Continued on page 18.

MEDIA

Film about blacks banned in Boston

By Connie Paige

BOSTON

AS THE DEADLINE approached, lawyers for Channel 2, Boston's educational TV station, and filmmakers David Koff and Musindo Mwinyipembe were negotiating furiously toward a settlement over the TV film *Blacks Britannica*. The film was scheduled for airing Aug. 10 on Channel 2 and a number of Public Broadcasting Stations around the country as part of the celebrated "World" series. But the filmmakers and Channel 2 could not agree on what to show: the startling original or the station's substantially edited version. The case has raised political, journalistic and legal questions that this staid town rarely dares broach.

Pretty heady stuff.

Koff is no newcomer to the film world. He produced *People of the Wind*, which finished second to *Harlan County* for a 1977 Academy Award. In January, Channel 2 asked him to do a documentary for "World," the series of hour-long films designed to fill in what the regular news skips over and at the same time boost the ratings. The "World" prospectus points out that the highly successful "Nova" series in the Boston area more than doubled Channel 2's usual prime-time audience.

Blacks Britannica, Koff's "World" offering, turned out to be pretty heady stuff, with an unmistakable political message. The opening scenes show wreckers demolishing a black neighborhood, and a voice-over explains that's the British way of preventing ghettos. After that, some blacks, even as they are thrust from their homes and denied work, are pictured creating their own institutions, including schools, bookstores and housing projects. A newsreel flashes back to decades-old scenes of immigrants coming from the West Indies, and swiftly juxtaposes newer footage of four British politicians—from the mainstream Harold Wilson to an extreme right-wing National Front leader—expounding on the immigrant problem. "I think it means," proposes Conservative Margaret Thatcher sweetly, "that people are really rather afraid that this country might be rather swamped by people with a different culture." With visually seductive images, the rest of the film describes how the state, from the start, has frozen these immigrants out of the economy, how theirs is really the plight of the entire British working class, and how some of them are getting ready to fight back. The film closes with the reggae song "Revolution" and a narrator observing: "Anywhere, any place, any time, we can't get it under capitalism, well then capitalism will have to go."

Splicing and dicing.

It was all too much for Channel 2. The first time they saw the film, station producers insisted it could not go on the air in that form. Koff claims they told him it was "too political"; Channel 2 maintains they told him only that it was inappropriate for an American audience. Whatever the real exchange, "World" Executive producer David Fanning himself took on the task of editing the film.

Fanning's revision retains almost all the footage of the original, but is still a markedly different film. *Blacks Britannica* as Koff made it jumps midway into the story, placing British blacks from the outset firmly in the British culture. By rearranging the scenes and pyramiding them in historical order, the Fanning version subtly conveys on the film's blacks the very immigrant status they're trying to live down. Fanning's film also fails to coordinate key ideas; the politicians, for example, are severed from the explanations

The makers of the film *Black Britannica* have charged Boston's educational TV station with censorship. They claim that the re-editing of the film distorted its meaning.

of their roles in encouraging racism. The end, however, best reveals Fanning's intention. Instead of the remarks about capitalism, a narrator concludes in muted language: "What the blacks who've been born here are saying is that they intend to obtain their rights as dignified citizens."

Koff, charging "censorship," hired noted Civil Liberties Union attorney Jeanne Baker in an attempt to prevent Channel 2 from airing the revision. Koff was trying to establish what in European law is known as *droit morale*, or the artist's right to maintain the integrity of his or her work, a somewhat obscure legal principle first quoted in this country by a federal court in a similar case involving the *Monty Python* series.

Also, Koff wanted to prove that the new copyright law, which went into effect last January, favors independent producers like himself over the buyer. Koff also cited the public's First Amendment rights to hear all manner of political ideas. In addition to his legal strategy, Koff managed to air his version in *samizdat* showings here and in New York, and to rally around him a good deal of national and local political support, including influential members of Boston's black community.

In response, Channel 2 did a "Simon



Racial conflict has erupted throughout Britain in recent years. *BLACK BRITANNICA* documents the situation of blacks from their point of view.

Says" and tried to stop Koff from airing the original. The station claimed exclusive rights to the film and complete authority over editing. Channel 2 also called on the First Amendment, arguing that a stay of the film would be "prior censorship."

Meanwhile, the press hovered uncertainly over the case. The *Boston Globe's* normally liberal TV critic wrote a vitriolic attack on Koff, accusing him of "manipulating" the press, while the *New York Times* praised the original *Blacks Britannica* warmly.

In the end, Koff lost the legal battle,

but he may have won the war. Federal District Court Justice Charles Wyzanski decided that Channel 2, rather than Koff, owned the copyright, and that all the other issues hinged on that. However, Channel 2, in true gentlemanly fashion deflected that challenge of censorship by giving Koff permission to show his version in groups of 19 people or less; even more significant, two days after the Fanning film finally went on the air, the station also ran, in the Boston area, Koff's original *Blacks Britannica*.

Connie Paige is a journalist who works for the *Real Paper* in Boston.

ASSASSINATIONS

James Ray reiterates his innocence

By Ron Williams

ON WEDNESDAY, AUG. 16, James Earl Ray repeated what he has maintained for the last ten years—"I did not shoot Martin Luther King Jr." This time, however, Ray made the statement under oath before the House Select Committee on Assassinations, in the presence of not only a dozen committee members but a live television audience of millions as well.

In a 38-page prepared statement and in answer to questions that followed, Ray detailed his association with the mysterious "Raoul," his activities before, during and after the murder, and asserted that the FBI and Memphis Police were involved in the killing.

(Many of the charges which emerged in the public hearings may be found in "Who Killed King?" by Mark Lane, Ray's attorney, *ITT*, Aug. 9.)

Ray testified that after escaping from the Missouri State Prison in 1967, he had met Raoul by chance on the Montreal docks. In return for money and a promise of travel documents, Ray said he carried items across the Canadian and Mexican borders for Raoul and that the rifle linked to the assassination was purchased for smuggling to Mexico.

According to Ray, it was on such business that he joined Raoul in Memphis, and took a room in the boarding house across from the Lorraine Motel. On April

4, at the suggestion of Raoul to "take in a movie," Ray claimed he was having a tire changed on his Ford Mustang when the shooting occurred. After hearing of the murder and that a white Mustang was being sought, Ray fled the country and was eventually apprehended in London's Heathrow Airport.

He says he was changing the tire on his Mustang when King was killed.

Ray charged investigators with bribing Charles Q. Stephens, a rooming-house witness who identified him as the person leaving the scene of the shooting. It was Stephen's sworn affidavit alone that allowed Ray to be extradited from Great Britain.

Ray also accused those agencies investigating the assassination of making threats on his family in an attempt to force a confession from him.

Discussing the confession that he later recanted, Ray stated, "It is not a difficult matter for an attorney to move his client to a guilty plea," and claimed that he was pressured to plead guilty by his own lawyers in Memphis. He told the committee that his first lawyer, Arthur Haynes, and later his second lawyer, Percy Forman, colluded with writer William Bradford Huie to obtain literary rights to the case.

Throughout the hearings, Ray implicated the FBI and Memphis Police in King's

murder. He claimed the FBI "set me up." He noted the recent disclosures of a bureau undercover agent who was one of the first people to reach King after he was shot.

"It was not I who sent [King] the note that he should kill himself; it was the FBI," Ray stated, referring to the bureau's campaign to discredit the civil rights leader.

It was revealed in Senate hearings in 1975 that J. Edgar Hoover ordered King's rooms bugged to record possible compromising situations with women. Tapes resulting from the bugging were sent to King's wife, while an anonymous note was forwarded to him suggesting suicide.

The question of government complicity in the assassination has received increasing attention. Rev. Jesse Jackson, of Operation PUSH has called on the Justice Department to reopen the King murder investigation, stating, "There's this overwhelming circumstantial evidence that Ray did not act alone."

Jackson, who was at King's side when he was shot April 4, 1968, conferred with Deputy Attorney General Benjamin Civiletti last week. Jackson proposed that the Justice Department investigation be reopened and that it support a new trial for Ray. In addition, Jackson proposed that a special prosecutor be appointed to initiate a separate investigation into the FBI's conduct in the King case. "The FBI," Jackson stated, "had the highest motive for the assassination of Dr. King."

LABOR

Pressmen pound pavements, news hounds leashed

By David Pitt

NEW YORK

A STRIKE OF ABOUT TWO weeks would be nice," a young reporter said wistfully on Aug. 9. "I could use the vacation." A few hours later, 1,550 pressmen walked off their jobs in a dispute over manning and precipitated the first simultaneous shutdowns of New York City's three major daily newspapers in 15 years.

The "vacation" may last longer than the publishers of the *Daily News*, the *New York Times* and *New York Post* and their 10,000 editorial- and craft-union employees can possibly afford. Although negotiations resumed Aug. 14 amidst what a federal mediator described as a constructive atmosphere, there were fears that the manageable little end-of-summer shutdown predicted in some quarters might be hardening into a strike long enough for some people to take a world cruise—at least those on a publisher's salary.

The most optimistic forecast last week was for a settlement by Labor Day, just in time for the back-to-school surge in advertising revenue. But on the picket lines, pressmen talked variously of staying out "forever" and "until Christmas," while the publishers' spokesman, H.J. Kracke, said his employers would have their reductions in pressroom staff "no matter what it takes."

The crisis has since deepened. The Allied Printing Trades Council, which represents the Newspaper Guild of New York and the seven craft unions that were locked out following the pressmen's action, met Aug. 16 and called for simultaneous strikes by member unions. None of the unions have concluded new contracts with the publishers since the expiration of the old agreements last March.

Wall-to-wall strikes by the other unions—all of which had previously pledged support to the pressmen—would serve two purposes: entitle members to receive strike benefits and step up pressure on the publishers who, despite claims of collective losses of \$2 million a day, appear to have been calling the shots since the walkout began.

Publishers push to reduce staff.

Many workers suspect that the publishers went out of their way to provoke the pressmen, who had not called a strike since 1923.

The major sequence of events began in June, when the Publishers Association of New York issued an ultimatum: either settle by early July or new working conditions would be posted. The pressmen, represented by the Printing Pressmen's Local No. 2, warned that they would hit the streets if rules went up.

The publishers moved the deadline to Aug. 8, ostensibly because they wanted to devote full attention to a brief strike by the Guild against the *News*—an action that led to a tentative agreement that, it was hoped, would serve as a model for pacts at the two other papers. Disagreements have since developed over the wording of the actual contract.

In the interim, the *Village Voice* reported that newspaper executives had been discussing "the probability" of a shutdown in August—usually a slack month for newspapers and seemingly a perfect time to force a confrontation with the pressmen.

Despite gloomy reports of a hopeless impasse in bargaining, most of them emanating from the publishers, negotiations continued up to the deadline on Aug. 8.

Striking unions are not militants anymore, the publishers are. The owners of New York's dailies pressed for a showdown now, when ad revenues are low.

Federal mediators then convinced the publishers to postpone for 24 hours their threat to post working conditions if no agreement was reached. The publishers called the new deadline "absolute."

One of the federal mediators, Kenneth Moffett, was, ironically, the same government representative who had assisted in the abortive talks between the *Washington Post* and its pressmen in 1975. The similarities between the situation, which eventually led to the destruction of the pressmen's Union, were not lost on the New Yorkers.

Shortly before 7:30 p.m. on Aug. 9, the pressmen reportedly made a counterproposal. The publishers rejected it, the talks broke up and, as a pressman at the *News* described it, "These guys just walked in and put up the work rules."

Under the old contract that expired March 30 but whose terms had remained in force, journeymen pressmen make a base salary of \$350.16 a week on the day shift, \$361.41 night. The posted conditions would have increased these salaries by \$23 a week, effective immediately for all eligible pressmen except those at the *Post*. The publishers also planned increases of \$23 and \$22 a week on March 31, 1979 and 1980 respectively at all three papers.

The stumbling block was the issue of "casuals"—pressmen who, for reasons such as union seniority, do not get full-time work. The publishers declared in their work rules that they would guarantee five shifts a week only to those pressmen and junior pressmen who met two criteria: that they had worked continuously at one newspaper since Aug. 1, 1975, and had worked at least 200 shifts at that same paper since 1977. Fifty percent of the pressroom work force do not meet those qualifications.

The publishers also unilaterally claimed the right to further reduce manning through attrition and scheduling changes in order to reach levels they say exist in pressmen's contracts elsewhere in the country.

The stiff reductions would allow the three papers to compete more effectively with the fast-growing, less expensively produced suburban papers, the publishers say; the pressmen see a calculated attempt to bust their union outright or, failing that, an attempt to cripple them financially through a long strike.

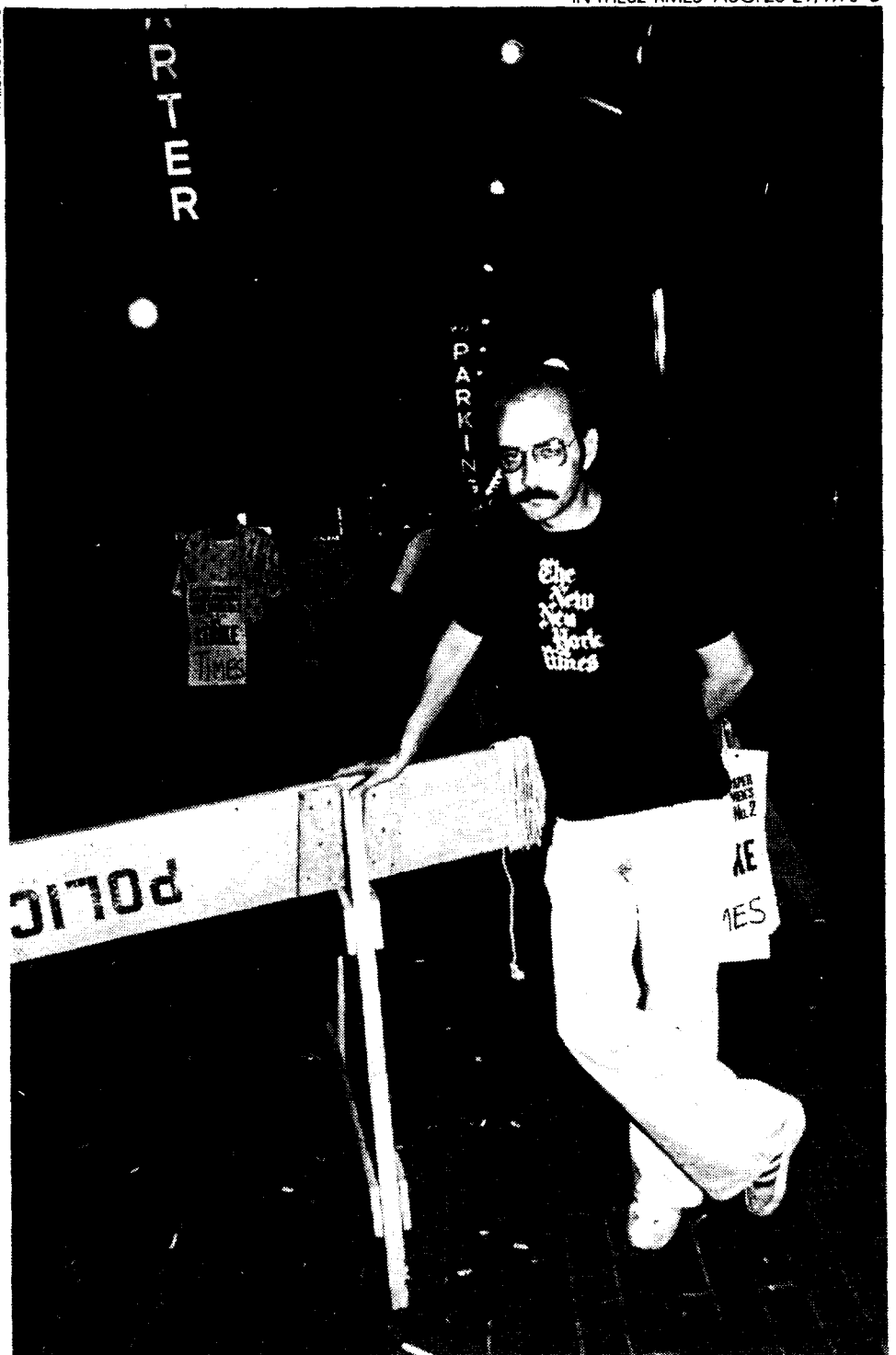
A reversal of roles.

Who can hold out the longest remains to be seen. The crunch may come at the end of the month, when daily losses for the papers will rise because of anticipated higher advertising income.

Kracke, in a statement to newsmen, hinted darkly that some unions—possibly the deliverers—might go back to work.

"We have the capacity to produce papers without pressmen or other unions," Kracke said. "Delivery is the problem. I don't know if this will change."

Continued on page 18.



Goaded into a strike by the management of New York's three dailies, pressmen idled the presses and silenced the typewriters of news-hungry reporters.

What's black and white and read all over New York City?

For small-time publishers, it was a dream come true: 3.4 million readers of the *Times*, the *News* and the *Post* without their daily newspaper. Suddenly, it seemed, anybody could be a press baron in New York.

The rush to fill the vacuum was reflected first on local television. Expanded newscasts grew more expanded, additional programs were added.

Following a tradition established in the 114-day shutdown in 1962-63, TV stations hired columnists and reporters from the struck papers to make polished and in some cases, less-than-polished, on-camera debuts.

Comics pages, gleaned from out-of-town papers, were read by such personalities as Anne Meara, the comedienne, and Joel Siegel, a WABC-TV reporter with bushy hair and a walrus moustache. In some cases, sound effects, music and funny accents were added. It was not exactly what Fiorello LaGuardia had done, but it served the purpose.

WQXR, the radio station of the *Times*, featured special broadcasts with columnists reading what might have been in the paper had there been one; the *News* established a telephone "hotline" featuring news and one-minute commentaries by its columnists.

A flood of alternative newspapers also began. The biggest money-winner to date appeared to be the Rev. Sun Myung Moon, who has been publishing a full-sized color daily called the *News World*. Until the strike, it was hawked chiefly on street corners by Moon followers and, at 10 cents a copy, had reported a circulation of 51,000. Now it has a press run of 300,000 according to the publisher, and news vendors around the city can't get enough of it. As one relatively satisfied reader remarked, it has "sports, stock tables, TV listings and some news." What

more could one ask for a dime in a newspaper strike?

Our Town, a neighborhood weekly usually distributed free on Manhattan's East Side, boosted its circulation from 130,000 to 200,000, began distributing it in all five boroughs and reported a dramatic increase in advertising. It has a staff of 15, although more may now be needed. The publisher, Edward R. Kayatt, said no change in emphasis was planned. "We're a service-oriented paper," he told a local television interviewer. "People news, animal news."

The Aug. 20 issue, an expanded edition costing a quarter, featured a front page headline that gleefully proclaimed: "No Settlement in Sight! Long Strike Threatened Against Dailies...Other newspapers take up slack."

In Westchester County, north of the city, the Gannett publishing chain doubled the circulation of its papers, while in the city, a new paper called *City News*, started largely by writers from the struck papers, hit the streets Aug. 17.

The desperation of New Yorkers to read anything, no matter how remote its resemblance to a daily newspaper, was reflected at newsstands specializing in out-of-town newspapers. Even the Chicago-based weekly *IN THESE TIMES* has been much more visible during the strike and has increased its New York distribution and sales many times.

Hoteling's, the out-of-town vendor at No. 1 Times Square, said people were queuing up to buy everything from four-day-old copies of the *Toledo Blade* to tattered Sunday editions of the *Boston Globe*, comics or no comics.

For some New Yorkers, unable to settle for anything else but their favorite newspaper, the strike was a welcome respite from a compulsive habit. For others, it was agony.

ENERGY

Solar proponents divide pie in sky

By Christy Macy

WASHINGTON

AN ALMOST UNPRECEDENTED experiment in public participation in government decision-making took place last week in Washington. In response to the energy crisis and pressure from the public interest sector, the Department of Energy (DOE) brought together academics, environmentalists, bureaucrats, and businessmen to jointly dissect and re-prioritize DOE's alternative energy budget. "It's a pioneering effort" in participatory planning, said Bennet Miller, the new program director of DOE's Office of Solar, Geothermal, Electric and Storage Systems, who organized the two-day session.

Panelists came from every region of the country, but the majority, regardless of whether they spoke for Gulf Oil or Friends of the Earth, agreed on one issue: the Department of Energy is not funding alternative energy systems at an acceptable level.

The budget requested by President Carter for all solar energy programs in 1979 (except solar heating and cooling systems) is \$311 million. This includes funding for solar thermal power systems (the concentration of the sun's rays to heat a working fluid that drives a power conversion device); wind energy systems (small and large windmills); photovoltaic systems (the concentration of solar rays on small semi-conductor devices that convert solar energy directly into electricity); biomass (the conversion of renewable resources into fuels that can take the place of fossil fuels); and ocean thermal systems (using the difference in ocean temperatures to generate energy). Money for all of these programs adds up to less than 3 percent of the entire DOE budget of \$10.4 billion.

Solar energy remains relegated to the back burner of Schlesinger's Department of Energy. Thus, it is not surprising that recent reports show the solar energy industry is collapsing in many states, for lack of federal support. As one of the DOE conference organizers said, "How are we going to do the mostest with the leastest?" United in the shared belief that they are the underdogs, this unlikely group of activists and capitalists sat down with DOE planners around five different tables at the Crystal City Marriott.

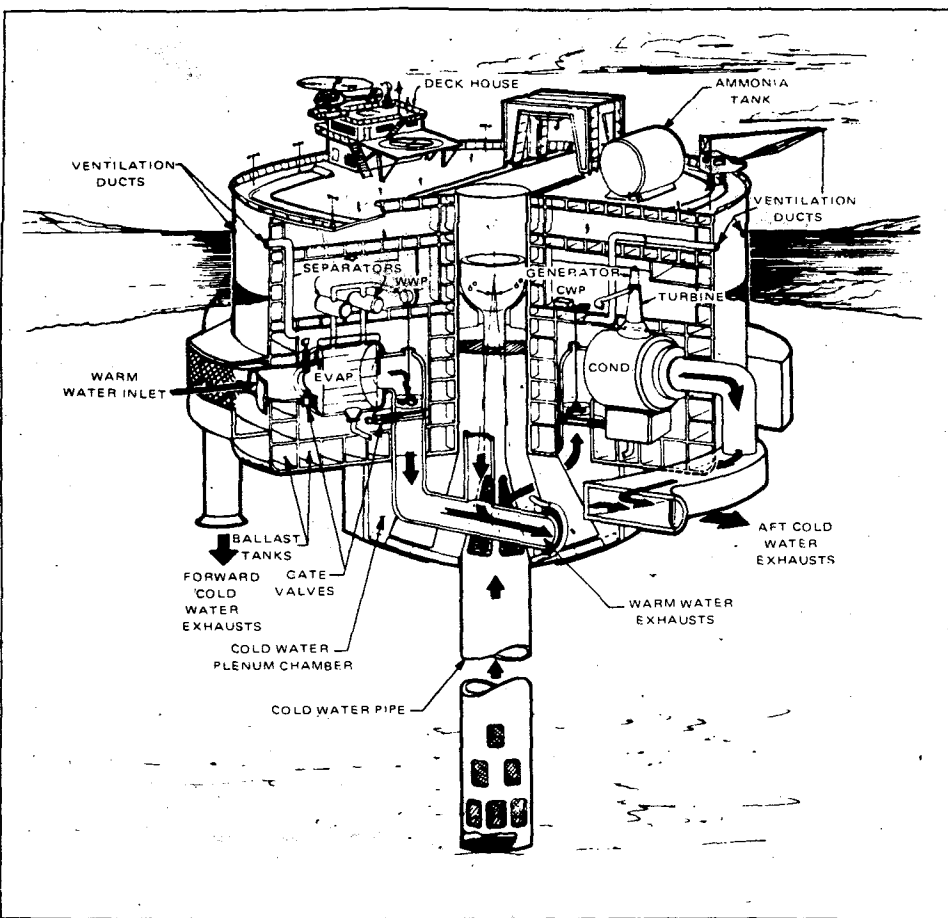
Jousting at windmills.

The question before the wind panel was simple: how to convince both the Department of Energy and the public that windmills are viable as an alternative energy source.

"Well," said bearded Lee Johnson, editor of *Rain* magazine in Portland, Ore., "we can argue that windmills are less vulnerable to international terrorist attacks than other power plants, and that they enhance democratic values and community control." A representative of General Electric sitting across the table leaned over and added, "Let's emphasize that wind is the first of solar techniques that could be widely commercialized, plus it's cheap." Not exactly the Clamshell Alliance, but an alliance nevertheless.

The atmosphere at the Wind panel was appropriately easy-going and gentle. Louis Divone, chief of the Wind Systems Branch at DOE, looked himself a bit like Don Quixote, with a thin pointed beard and a quick smile. Windmills as an energy system, however, unfortunately have to shake some of the romantic myths that have been built up over the years. The panel agreed that they had to be more hard-hitting and practical to gain additional federal funding and wider public acceptance.

The Oceans panel was perhaps the most controversial, as it is viewed by many public interest groups as the greediest, most environmentally suspect, and least practical of the alternative energy systems. David Mascelli of Friends of



A maze of technical drawings and bureaucratic jargon befuddled many conference participants. This device creates energy from the ocean.

the Earth explained that many who had been fighting to build up the solar budget as a whole "resented the big money" required to research and build such enormous structures as the Ocean Thermal Energy Conversion plant. "It's like the nuclear reactor program of the solar energy division, the 'big fix,'" complained another panelist. Another participant expressed grave worry that OTEC "is already becoming a government-controlled system." Environmentalists warned that pumping the cold water from the ocean depths up to the surface could have dangerous effects on the animal and plant life of the region. When asked whether

OTEC was the "black sheep" of the alternative energy programs, the DOE consultant denied the label, saying, "It's not that it is the most unpopular program. It's just the least understood."

The panel on solar thermal power systems brought out the conflict between those industries who want large-scale energy plants and those who favor dispersed, locally owned and run energy systems. "We shouldn't get trapped in the small is beautiful syndrome" stated a representative of the McDonnell-Douglas Company. Some of the session then turned into a free-for-all discussion among the large companies about how to protect their

budding industry from foreign corporations who could produce their products cheaper.

David Miller of Albuquerque, and a member of the Public Interest Research Group there, argued for small technology almost single-handedly. He said he was still not convinced, even after the session, that the big systems will ever be a viable producer of energy. One panelist, however, seemed to bridge the gap between community-based sentiment and the money makers. He was Robert Stromberg, who represents a large DOE contractor, the Sandia Corporation, but who also volunteers his time and expertise at the New Mexico Solar Energy Association, which does things like helping people install solar heated greenhouses. He proudly circulated pictures of the solar thermal energy structure he built.

Finding out who's on the other side.

Inevitably, there was some criticism of how the conference was run. Only one woman participant was to be found, and she said she was "just taking notes" at one panel. Some participants complained that the format of the session took too bureaucratic a slant, and there was little opportunity for broader discussions of priorities. Only a trained bureaucrat could follow explanations of why all alternative energy systems are labelled "solar," much less why solar heating and cooling programs are run under the Conservation division instead of the solar one. Countless votes were taken at the panels, and many panelists griped that the individual tally sheets were "useless" and "a waste of our time." Technical jargon rolled easily off the tongues of the big company representatives and the DOE planners, but others had a hard time. The dry, colorless discussions and tediously detailed plastic charts projected on the walls of the meeting room combined to leave many of the public interest activists' jaws hanging half open in stifled yawns.

Continued on page 18.

EMPLOYMENT

EEOC sues remiss corporations

By Ellen Deirdre Murphy

WITHIN DAYS OF THE Supreme Court ruling in the Allan Bakke case, Eleanor Holmes Norton, who chairs the federal Equal Employment Opportunity Commission (EEOC), announced her agency would conduct "business as usual," and make no significant changes in policy or practice as a result of the Court's decision.

At EEOC, business as usual has meant slow progress for women and minorities. The Commission has acquired a reputation for ineffectiveness, along with a large backlog of individual discrimination complaints. It has been reluctant to use its significant legal power to pursue "systemic" discrimination—to file a charge alleging a corporation's employment practices have a discriminatory impact on minorities and women as a whole.

But in a move to revitalize its Office of Systemic Programs, the Commission recently approved guidelines for filing and processing company-wide complaints. Norton's goal is to file up to 500 complaints against employers this fiscal year.

The agency hopes to avoid protracted legal battles by targeting primarily medium-sized firms, with no more than 2,500 employees, rather than the corporate giants. At the outset, EEOC is looking for quick case settlements to build the credibility of the systemic program. The Commission will pursue companies on a "worst first" basis—choosing firms whose employment statistics show clear evidence of discrimination in recruitment, hiring,



Kathy Blunt of Women Employed wants to aid women in discrimination suits.

job assignments, promotion and firing.

A company's impact on the local economy, its competitive position within an industry and its potential number of job openings will be considered in a decision to file a charge, as well as its suitability as a model for other local businesses, the guidelines state. EEOC's selection criteria also emphasize firms employing a substantially smaller proportion of minorities and women than other employers in the same labor market.

EEOC's 22 district offices will take on much of the responsibility for compiling data on companies in their areas, and for investigating systemic charges filed by the Commission's Washington headquarters. Initially, however, EEOC model offices in Dallas, Baltimore and Chicago, already

experimenting with new procedures to speed up settlement of individual complaints, will test procedures and guidelines for systemic cases.

EEOC's emphasis on smaller firms of significant regional impact could mean a more active role for women's and civil rights groups that have been particularly critical of the Commission's reluctance to initiate company-wide complaints.

A Chicago women's group, Women Employed (WE), has been pressing the Commission to allow greater participation of groups such as itself, which EEOC calls "third parties" to discrimination complaints.

"We have the inside people and the resources to get information," explains Kathleen Blunt, WE's associate director. "If you want to go to court on a case, you can hope that your statistical information will win it. But a stronger case is made by having individuals go in and say 'This is what happened to me.'"

WE has already asked the Commission to file a company-wide charge against Chicago's Continental Insurance Co., and has supplied the Commission with information Blunt says "they couldn't get without us."

Whether EEOC will widen its efforts in fighting systemic discrimination effectively is a question of politics. A new administration in 1980 would bring the staff turnover that has made the agency incapable of establishing consistent policy in the past. A Republican administration could be expected to return the Office of Systemic Programs to virtual inactivity, as during the Nixon-Ford years—business as usual.



Elaine Noble campaigning in the Massachusetts Democratic primary. She is seeking Edward Brooke's Senate seat.

By Chuck Fager

BOSTON

AT A CANDIDATE'S NIGHT IN Sudbury recently, Elaine Noble made a Freudian slip in a talk about her race against Republican Sen. Edward Brooke. She was expounding her campaign theme that Brooke had forgotten about Massachusetts and was concentrating instead on the pleasures of membership in the Senate, which she called "one of the most exclusive clubs in the country," adding significantly, "one in which there are no women serving, and in which there won't be any women serving."

It was only a stray phrase in a five-minute speech, but it stuck out like a white flag above a hopelessly beleaguered fortress. Normally Elaine Noble is a game and dogged campaigner. But her prospects in the Sept. 19 Democratic primary have become bleak: several polls taken late last month showed her running a poor fourth behind Secretary of State Paul Guzzi, Fifth District Congressman Paul Tsongas and Boston School Committee chairperson Kathleen Sullivan Alioto.

The effect of these gloomy numbers was readily apparent in the contrasting atmosphere of her campaign headquarters offices and those of Tsongas on different floors of the same building in downtown Boston. Noble's was quiet when visited in late July; the few volunteers were women, who talked a lot among themselves about sexuality. Tsongas' office was jumping with phones ringing, a dozen people rushing about and computer equipment humming quietly. In the face of this competition, a slip of the tongue was understandable.

Of course, Elaine Noble was tired. She had been up past 2 a.m. the night before, trying to get a teenager out of jail. "The kid had been sent up by his mother," she explained. "She said he was too much trouble at home. And I couldn't find a bondsman anywhere in the city till this morning."

Noble was telling this story not only for my benefit, but also to the driver, campaign aide John McGivney. McGivney is young, but has been in politics professionally around Boston for several years; in fact, he came to Noble after a brief stint on the staff of her rival, Kathleen Alioto. McGivney had been complaining about the stream of weird people he had had to face in the past few days.

"They won't leave me alone," he railed. "One came in today, a lady who was mostly rational until she went off talking

PRIMARY

Noble plunges head-first into Brooke contest

"I talked to them, sat down, drank beer with them and swore with them. And after a while it wasn't hard to do business with them."

about the ESP control conspiracy. Then there was another one who was convinced that the same people who put flouride in the water had ruined the brakes in her car."

Noble listened to this, smiling and smoking. This reminded her of the stories people told her back during the snow emergency last winter, when she was in charge of granting emergency driving permits in her district. "Sometimes," she said with a chuckle, "I gave people two-hour permits just in appreciation of the amazing stories they told." As she told it, she considered it part of her job to listen to these people as patiently as she could, and even tell them off gently when it became necessary.

Just a "regular guy."

It was commentary like this, more than any posturing on what are generously called "the issues" in this campaign, that made Elaine Noble stand out. The impression she left was of a politician who actually liked people and enjoyed working with them, including the flaky ones, and who could empathize with them even when she couldn't understand or agree with them.

This is a rare quality, in or out of politics, and it helps explain Noble's brief career in the Massachusetts legislature. It explains, for instance, how she came to be regarded as "just a regular guy" by the House Majority Leader, William Q. "Biff" MacLean, and the other tough

males who run the body. After all, Noble is no limousine liberal, but the daughter of a Pennsylvania miner and union official. From these roots, it was not so hard, despite the stereotypes she carried to Beacon Hill as the first out-front lesbian elected to state office, to speak the leadership's language. "I talked to them, sat down with them, drank beer and swore with them," she said, "and after a while, it wasn't so hard to do business with them. And there are common experiences that cut across ideological lines and create a bond between people in politics. Take [State Senator] Billy Bulger, whose district includes much of my area as well as South Boston, where the anti-busing sentiment was so strong. When Billy came into my area, he was booed and jeered. When I went to Southie, the same thing happened to me. That kind of experience, after a while, gives you something in common as elected officials."

She shook her head again. "One thing that I share with my male colleagues is I've learned that the process we all go through up there is very hard on all of us. Certainly there are problems with being female in it but it's really tough on us all."

At a deli in Kenmore Square, she dumped ketchup on a dish of cottage cheese and talked some more about her political experiences. She has taken considerable flack for her closeness to the House leadership, of which she is a junior member. The *Boston Phoenix* ran a cover story on her a year ago, detailing criti-

cisms by a number of House liberals of her involvement with the Establishment.

And her friend Rep. Barney Frank, a leading liberal, affirmed in a recent interview that "Yes, I think she did go too far in getting cozy with the leadership. I never broke with her personally because of it, but I think she got too involved with them."

Noble grimaced uneasily when this was mentioned. "You can parade all you want, but it's not going to change people's minds," she insisted. "Working on the Rules Committee is what changes people's minds, sitting down with people and talking about lots of issues."

The wolves move in on Brooke.

With this attitude, it's cruelly ironic that she is now caught in bloody liberal infighting. But she certainly did her best to avoid it: When she first thought of running against Brooke, she canvassed all her present major opponents, offering to defer to them, and receiving solemn assurances from all and sundry that they wanted nothing to do with such a challenge.

When Brooke's divorce troubles seemed to open the race up, all that changed in a twinkling.

With the entry of other Democrats, Elaine Noble is now presumed to be on her way back to private life. Asked what she will do if she loses, she shrugged. "I don't plan beyond six months ahead in my life anymore," she replied.

But that is not all there is to it. The same broadly humane outlook that propelled her into politics crops up in a good-natured but stubborn refusal to consider becoming what she terms "a professional homosexual" when she leaves office. She is firm about this. "I don't want to live in a ghetto world, where I select my friends on the basis of who I go to bed with, or what their politics were."

In fact, Noble has paid considerable dues for refusing to be a "one-issue legislator." She has worked hard, though, on behalf of gay rights legislation. Yet this was but one among many issues she worked on, and she was not ready to go along with just anything labeled Gay. When a sex scandal involving boys in Revere broke open last year, Noble was among the legislators opposing some Boston gay groups who called for a lowering of the age of consent.

"They forgot that I'm a former schoolteacher," she said grimly. "There's no way I could go along with that." For her trouble, though, she was called "The Idi Amin of the gay movement" for breaking with those who were proclaiming the joys of "boylove."

Brooke's strength.

If, after almost a year's constant effort, she is to be swept unceremoniously aside by what she calls the "wolfpack" now hounding the primary trail, Noble may well be able to take a grim sort of satisfaction watching the successful Democratic challenger lose to Ed Brooke.

Barney Frank, with typical trenchancy, summed up the situation: "A while back I thought Brooke was dead. But now he's coming back to life for the final. And he'll be real tough; he's a superb campaigner, he's got a lot of money, and the latest polls I've seen still show him ahead." But beyond simply predicting a Brooke victory, Frank went further. "I'm telling people that I've endorsed Elaine in the primary, but I'm voting for Brooke in the fall. Why? Because every black in Massachusetts tells me they need him in Washington, he has come through for them better than anybody else has. And because I still believe race remains the number one domestic issue in this country."

Frank's remarks show just the kind of sensibility Brooke has been able to play on. In 1966 and 1972, these attitudes, along with his moderate Republicanism, made him unbeatable.

Elaine Noble has countered these sentiments by saying, "It is a very unenlightened position to take that no one should challenge Brooke just because he's the only black senator." But while she is better qualified than many to make this challenge it is unlikely that she can beat the political odds.

■ **Chuck Fager is a free-lance writer in Washington.**

LAW

Government tries to buy-off SWP suit

By Richard Goldensohn

DURING THE LAST SIX MONTHS, the federal government twice offered substantial cash payments to the Socialist Workers Party in attempts to settle out of court a controversial \$40 million damage suit that has embarrassed the government for more than five years. The offer was made public last week by party political member Lawrence Siegle in an address to the closing session of a week-long SWP national conference in Oberlin, Ohio.

The SWP's suit, which recently caused Attorney General Griffin Bell to be held in contempt of court by Federal District Judge Thomas Griesa, has presented the government with a series of uncomfortable dilemmas. The government is attempting to prevent the release of any of its files on the 1,300 informants who the FBI says spied on the SWP since 1960. The out-of-court settlement proposed by the government would have restricted access permanently to any of the 8 million pages of government files on the SWP in return for a cash payment.

The SWP rejected both offers, according to Siegle. Another member of the SWP's political committee, Sydney Stapleton, confirmed that he and the SWP's lawyer, Leonard Boudin, met in February and April with Barbara Babcock, the Assistant Attorney General for the Civil Division of the Department of Justice, to discuss the settlements.

Dealing for dollars.

According to Siegle, the first offer was for \$200,000 and the second for "some-what more." Siegle also stated that the government had offered to seal the files in the National Archives, forbidding access to anyone "for any reason"—except the Attorney General. Stapleton stated that the amount of the second offer was left "vague" but was still considerably less than the SWP had spent so far in fighting the suit, which he estimated to be around \$1 million.

Leonard Boudin declined to comment on the announcement by Siegle, saying, "It is my preference not to comment on any negotiations that I may or may not have had with government officials." A report that such negotiations had taken place appeared in an article by Stephen Brill in a recent issue of *Esquire*. No details were given. Such negotiations are normally kept secret, but Stapleton said that a decision had been made by the SWP to discuss them openly after Brill's report appeared.

Although the government routinely settles cases out of court, the offer of a settlement to the Socialist Workers Party is unusual because of its magnitude and the kind of government malfeasance charged in the suit.

David Hamlin, executive director of the Illinois American Civil Liberties Union, which itself is suing the government in two suits similar to the SWP's, stated that he was not surprised that the government wants to negotiate its way out of this suit. "The government is faced with hundreds of such suits, and they hope that if they throw money at them they will go away." Hamlin praised the SWP for turning down the settlement offers at this time. "There has not yet been a good judicial review of the principles involved. There is no dollar value that can be placed on the damages. The legal principles must be resolved."

Committing crimes to collar citizens.

The SWP, a Trotskyist party with 2,500 members, filed suit in July 1973 claiming \$40 million in damages and asking the courts to stop further spying and disruption against it. The case has yet to go to trial, and may not for years, but the pre-trial hearings have brought out much about political counterintelligence in the



At last week's SWP rally in Oberlin, Ohio: Hector Marroquim, Rosario Ibarra de Piedra, Vernon Bellecourt, and Larry Siegle.

Socialist Workers Party refuses to accept out-of-court offer for its five-year-old \$40 million suit.

U.S. The most notorious revelation concerned the existence of "COINTELPRO," a program of disruption of the left that was launched in 1961 by former FBI director J. Edgar Hoover. Although, to date, the party has seen fewer than 1 percent of the mountain of documents the government says it has filed on it, break-ins, burglaries, wire-taps, and character assassination, carried out with astonishing frequency, have been disclosed. In the period 1960-66, it has been shown that the FBI burglarized the SWP's offices at least 94 times, an average of once every three weeks. Among the 1,300 informants who were used against the SWP in the period since 1960, 300 became members of the party.

Throughout the entire period of their activities against the SWP—dating back to the founding of the party in 1938—government investigators never found any evidence with which to charge an SWP member with a crime, much less win a conviction. This fact has proved extraordinarily embarrassing to the government and helpful to the SWP's suit that claims the government's activities were not related to criminal activity but were conducted solely to disrupt the party. The SWP claims, therefore, that the government violated the First and Fourth amendments to the Constitution.

Protecting stool-pigeons.

In the five years since the suit was filed, the government has been stalling and trying to prevent a cascade of new revelations about political suppression. The government has repeatedly refused to cooperate with the pre-trial "discovery" process, arguing that the release of 18 of the 1,300 informer files to the SWP's attorneys would violate "informant privilege" and compromise the informant system of fighting crime.

In June, U.S. Attorney General Griffin Bell decided to take "personal" con-

trol of the files and was held in contempt of court by Judge Thomas Griesa on July 6, for not releasing them. Bell's lawyers, the U.S. District Attorney's office for the Southern District of New York, are now appealing Griesa's ruling. Although Bell has said he will comply with a Supreme Court decision on the matter, his appeal is regarded as highly unusual and a measure of the government's determination to avoid turning over the files. "Discovery" orders in civil cases cannot normally be appealed. Arieh Neier, outgoing executive director of the ACLU, called Bell's personal intervention "a naked display of power."

Although the government claims its ability to fight crime will be dangerously impaired if it discloses the identity of informants by releasing the files, SWP members attending last week's conference argued that the government does not want to release the files so that it can continue to carry out disruption in the future. They point out that legislation is now under consideration to legalize otherwise illegal activities of informants through the use of court orders.

Jumping on the bandwagon.

Although Judge Griesa has ordered that the files turned over to the SWP's attorneys must be kept secret (they would not even be allowed to tell their clients what was in them), the government fears that they would eventually become public. If so, officials may be worried that the information in them could encourage more suits like the SWP's. The National Lawyers Guild, for example, filed suit last year for \$65 million in damages in an action modeled on the SWP case.

According to Roger Rudenstein, a spokesman for the Political Rights Defense Committee, an SWP-run group which is financing and publicizing the case, the SWP's suit has already spawned hundreds of similar suits.

Asked how the case was going for the government, Frank Wohl, the head of the Civil Division of the Department of Justice for the Southern District of New York, which is in charge of arguing the case, would not comment. To the same question, SWP lawyer Winter replied, "We're winning the case. We're right on the law. We're right on the informer privilege. We're just right."

Former judge held in contempt.

The SWP is helped in its already strong case by excellent lawyers. Leonard Boudin is regarded by many as the foremost civil liberties lawyer in the country. Furthermore, the SWP is blessed with "a good judge." Judge Griesa, a 48-year-old Nixon appointee, has been hearing the case with relentless patience, persistence, and intelligence. Although he has made many rulings adverse to the SWP—refusing to request relevant files from the CIA and the National Security Agency—he has ultimately refused to bow to the extraordinary pressure that the government has placed on him. In particular, his willingness to order Bell, a former District Court Judge, held in contempt was seen by many observers as a demonstration of his determination to see the case fairly heard. In addition, Griesa's careful conduct of the case leaves little chance that the decision will be overturned on procedural grounds.

No one involved in the case will estimate how long it will be before it finally comes to trial. Margaret Winter believes that the government's strategy is to try to conduct "a war of attrition" with the SWP. "We've been litigating this informer issue for two years now," she points out. "They could drag it out for another two." Ironically, according to Winter, when the case finally goes to trial, it may last no longer than a month. Most of the evidence for the case is in documents and it is unlikely that the government will call witnesses to contest what is in them.

Already the case is the longest running case of its kind in history. Says Boudin, "The case poses for me the question of whether this is really a government of laws or whether the illegalities of government agencies directed at the destruction of political parties can receive judicial protection."

IN THE WORLD

NICARAGUA



Father Miguel d'Escoto is surrounded by well-wishers as he arrives at the airport in Managua, Nicaragua.

The Twelve's return threatens Somoza

By Blase Bonpane

IN A RECENT REPORT TO CYRUS Vance, the U.S. ambassador to Nicaragua quoted Father Miguel d'Escoto's statement to *La Prensa*, Nicaragua's only opposition newspaper. "The greatest sin in Nicaragua is Somocismo. Somocismo is calumny, rape and greed. Somocismo is avarice and whatever dirtiness that exists; as a priest it is my obligation to denounce this sin and proclaim that faithfulness to Christ requires among other things, that every Nicaraguan fight to liberate his country from that moral leprosy."

Father d'Escoto is one of the 12, a group of prominent Nicaraguans who believe there can be no permanent solution to the escalating armed conflict in their country without the participation of the Sandinista Liberation Front (FSLN).

Statements made by the 12 resulted in criminal charges and convictions *in absentia* by the Somoza Regime. Nicaragua's high court subsequently overturned the convictions but not before the 12 had declared from exile:

We maintain that our right to live in Nicaragua and to exercise our political rights is inalienable. We hereby announce our intention to return to our native land, and once in the country, we will concentrate our efforts and influence to promote in every way possible that broad based anti-Somoza front which we have called for from the beginning. This will be a starting point for the democratic transformation of Nicaragua.

"We await the Twelve."

Following the dramatic announcement of the Twelve's return, business leaders, farmworkers, students and politicians established welcoming committees. Walls in Managua and Masaya were painted with slogans, "We await the Twelve..."

Somoza, under attack for his long history of repression ordered airlines not to sell tickets to any of the Twelve. After their convictions were overturned, however, he announced in a televised talk that they were free to return. On Wednesday, July 5, a TACA Airlines plane crossed the Nicaraguan border.

Arrival of the Twelve at Managua resulted in Nicaragua's largest gathering in history. A total of 200,000 people: 50,000 in caravan from Las Mercedes airport and 150,000 at the roadside.

Ten of the original Twelve appeared: Joaquin Cuadra Chamorro, corporation lawyer and legal adviser for various commercial and industrial firms; Miguel d'Escoto Brockmann, Maryknoll priest and

director of the Department of Communications for the Maryknoll Missioners; Ricardo Coronel Kautz, agronomist and livestock expert; Carlos Tunnermann, three times elected Rector of the National University of Nicaragua; Fernando Cardenal Martinez, Jesuit priest and professor of philosophy at the National University of Nicaragua, member of the Nicaraguan Commission on Human Rights; Emilio Baltodano Pallais, manager of a coffee-exporting firm and president of the Nicaraguan Commission on Human Rights; Sergio Ramirez Mercado, lawyer, secretary general of the Central American University Confederation; Carlos Gutierrez Sotelo, dental surgeon and former professor at the National University of Mexico; Ernesto Castillo Martinez, lawyer and professor at the National University of Nicaragua; and Casimiro Sotelo Radríguez, architect and urban developer.

During the unprecedented welcome National Guard units attempted in vain to disperse the crowd with tear gas.

The spirit of Sandino.

The Twelve began a tour of Nicaragua, stopping first at Monimbo, an Indian community in shambles because of National Guard attacks following demonstrations against Somoza. Addressing the crowd from the Church of Santa Magdalena, Father Fernando Cardenal said, "Monimbo incarnates the spirit of Sandino."

Cesar Augusto Sandino was a guerilla fighter who opposed U.S. Marine occupation of Nicaragua in the early 1930s. Sandino fought against the political dealing that led to the establishment of the Somoza regime. In an act of treachery Sandino was invited to negotiate with the new dictator and was ambushed and assassinated.

Father Cardenal added, "The best of the youth in Nicaragua are militants in the Sandinista Liberation Front." Father Cardenal's words were punctuated with the sound of armed conflict in the background. The Jesuit then explained that the Twelve received death threats when they announced their return. "No one is safe in Nicaragua, anybody can be shot and so we entrust our lives to the people," he said.

The Twelve gave frequent press conferences and statements as their nationwide tour continued. They spoke at the tomb of Pedro Joaquin Chamorro, recently assassinated editor of Nicaragua's prize-winning newspaper, *La Prensa*. The paper and its editor were internationally known for opposing the Somoza dictatorship.

The Nicaraguan government is in a dilemma. Arresting the Twelve will cause a wave of protests and strikes. On the other hand, allowing them to be free is strengthening unified opposition.

Work stoppages.

The arrival of the Twelve has been punctuated by dramatic work stoppages, which have been aimed at forcing the resignation of President Anastasio Somoza Debayle. For a second time this year the majority of shops, businesses and factories in Managua have become silent.

"After the recent massacres, the strike is the least we could do," said Reynaldo A. Tefal, an opposition leader, referring to the killings by National Guardsmen of nine youths last week. "But even the massacres haven't intimidated the people. They continue to respond courageously against the government." The strike organizers belong to the new Broad Opposition Front. They are urging people to stay off the streets and avoid clashes with the authorities.

The Broad Opposition Front includes 14 political organizations and is growing. Among its members are such diverse groups as the Nicaraguan Socialist Party and the Nicaraguan Democratic Movement, recently formed by businessmen. The Twelve represent the only clear liaison between the guerillas and the Broad Opposition Front.

"Somoza has condemned Nicaragua to a blood bath by being so intransigent and not allowing the possibility of peaceful democratic change," said Father Miguel d'Escoto. "Faced with this, you have the Sandinistas who have reached the conclusion that Somoza won't depart as a result of speeches and demonstrations," he went on. "So all that's left is for us to prepare the people to support the armed struggle through civic actions and passive resistance. If we can accelerate the process, then there should be less bloodshed. That's the most we can hope for."

Alfonso Robelo Callejas, leader of the Nicaraguan Democratic Movement, said, "The agitation we have now won't topple Somoza." He added that the opposition could succeed only through a combined strategy of "effective and controlled popular agitation, an indefinite general strike and a final massive offensive by the guerillas (FSLN)."

General Somoza, on the other hand, is mobilizing his Liberal party against the opposition, holding political meetings in the apparent hope of reducing the challenge to his rule to a traditional partisan struggle.

But over the last six months, none of

his political initiatives, including his announcement of apparent concessions to the opposition, have succeeded in defusing the agitation against his regime. Last week he once again offered to hold discussions with the opposition, but his proposal was immediately rejected. "You can't have a dialogue without mutual trust," Father d'Escoto said. "No sane person in Nicaragua can have faith in Somoza's word."

The Twelve's principles.

The Twelve have offered principles for unifying and democratizing Nicaragua. These are some of them:

- Abolition of the Somoza dictatorship and all its traces, including any maneuver that results, or could result, in the continuation of a "Somocismo without Somoza";
- Formation of a national government composed of those sectors that effectively participate in the overthrow of the dictatorship;
- Elimination of terror as a system of government, guaranteeing respect for human rights, both with regard to the life, physical and moral integrity of all Nicaraguans and their civil rights including freedom for labor unions, freedom of information, and freedom of organization—all of which shall be considered equal;
- Banishment of the unjust, corrupt, and traitorous economic control the Somoza family has exercised over Nicaragua, virtually converting the country into their own private property.
- Enactment of Agrarian Reform, principally on the basis of lands and agricultural developments recovered from the Somoza family;
- Placing in the hands of the state the exploitation of natural resources: mines, forests, fisheries, energy;
- Nationalization of all forms of collective transport, with the guarantee that the bus lines include the participation of riders in their operation so that service is humane and decent.
- Organization of the National Army as a truly professional body, dedicated to protecting the sovereignty and integrity of the country.
- Guaranteeing the establishment of a constitutional regime for the achievement of a just and democratic society, and, to this end, formulation of an Electoral Law that fully guarantees the right of citizens to political participation without ideological discrimination or restrictions on party membership.

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The American delegate to the Law of the Sea Conference is Elliott Richardson.

WORLD ECONOMY

U.S. opposition may sink Law of the Sea Conference

By Bruce Vandervort

GENEVA

BETWEEN NOW AND THE END of August, the American government may make a decision that could determine forever the use to be made of over half the earth's surface. A lot depends on Elliott Richardson.

Richardson headed the U.S. delegation to the 7th session of the Third UN Conference on the Law of the Sea (UNCLOS III), which adjourned here on May 19, with plans to resume in New York Aug. 21. UNCLOS III, which has been meeting since 1969 to draw up a comprehensive law for use of the oceans and their natural resources, has labored since its inception under the threat of a crippling American walkout.

American dissatisfaction with the UNCLOS III talks rebounded with a fury last year, when proposals were aired in a New York session that some administration and congressional critics thought would close off seabed mining in international waters to "free enterprise." Elliott Richardson threatened that the U.S. might not return to UNCLOS III, claiming that industrial states were being subjected to "denial of due process" in discussions on seabed mining.

Not long after, at the urging of mining companies, bill H.R.-3350 authorizing private firms to begin seabed mining before a UN Law of the Sea is agreed upon, was tossed into the House hopper. Just prior to the opening of the Geneva session of UNCLOS III on March 28, the Carter administration warned that the bill might be pushed forward in Congress unless the Conference amended certain portions of its negotiating text on seabed mining. The threat may have worked.

Elliott Richardson left here on May 19 hailing the "significant progress [made] on certain key issues" and brushing aside fears that the U.S. would take unilateral action to sink UNCLOS III. However, he did not discount rumors that the U.S. and other industrial nations are secretly negotiating a "mini-treaty" in case the

Conference returns to its "anti-free enterprise" ways. "This is just an idea," he said, "contingency planning, if the conference fails."

Historical accidents cause splits.

The reason for launching the Law of the Sea Conference in the first place was the desire of some of the world's disadvantaged nations to preserve as much as possible of the high seas as the "common heritage of mankind." Implicit in this aim

catch. Ten countries hold about half of this region: Australia, Brazil, Canada, Chile, Indonesia, Japan, Mexico, New Zealand, the U.S. and the USSR. And, if Ireland's formula, placing the outer limits of national sovereignty beyond the continental shelf, is adopted, the nine nations in its group will subtract another five million square miles from the high seas.

Already stung by the Latin Americans, the land-locked and "geographically-disadvantaged" bloc has refused to consider

With ocean metals supplied by politically unreliable countries, the U.S. wants to preserve free enterprise on the ocean floor.

was the notion that the resources of the international zone should be exploited for the benefit of the poorer countries, especially those that are land-locked.

That idealism has not prospered, nor have positions broken down in the traditional rich/poor, North/South divisions, but instead have largely been determined by accidents of history or the fortunes of maritime geography. Thus, because of the outcome of World War II, prosperous West Germany finds itself in the alliance of land-locked and "geographically-disadvantaged" states alongside Bolivia and Nepal. And, because it happens to have one of the world's widest continental shelves, Ireland has joined forced with the United Kingdom, Argentina, Australia, Canada, India, New Zealand, Norway and the U.S. in demanding control over oil and minerals in stretches of ocean well beyond the agreed-to 200-mile barrier.

The 200-mile zone has already sharply reduced the size of any "common heritage." It comprises nearly 38 million square miles and includes within it all of the world's known offshore gas and oil, all of its currently exploitable minerals, and 85-95 percent of today's global fish

the Irish proposal until guarantees of a generous sharing out of revenues from the area beyond 200 miles are made. And, at least two of Ireland's supporters have said that they will not sign a Law of the Sea document that doesn't include the Irish amendment.

Compromise flourishes.

Even in the shrunken high seas zone, the amount of wealth open to the disadvantaged countries is being whittled away. From the beginning of negotiations, it has been agreed that this region and its estimated trillions of dollars of mineral wealth ought to be administered by some kind of International Seabed Authority. The poorer nations felt that, ideally, this Authority ought to be provided the powers, capital and technology needed to carry on seabed mining on its own, for the benefit of the developing countries.

However, this position was later scaled down to accommodate the private mining multinationals, although the Authority was still to be able to levy sizeable taxes and royalties on them and to oblige them to enter into joint ventures with it and to share their mining and processing technol-

ogy. The Authority was to be run by a Council of 36, with membership skewed toward the developing countries.

It was this formula for decision-making that so upset Elliott Richardson last year. He concluded that industrialized states, at best, could probably count on no more than seven votes on the proposed council.

Since then, however, tempers have cooled and the spirit of compromise is flourishing. The mining companies have brought pressure to bear both within and without the Conference to insure that the future International Seabed Authority doesn't discriminate against "free enterprise." Within the Conference, industry representatives participate in discussions as "technical advisers" to Western industrialized country delegations. Thus, the American team included a counsel for Kennecott Corporation, a potential ocean miner. The 32-person United Kingdom delegation numbered no less than 11 industry representatives, including three from Rio Tinto Zinc, another seabed miner. Canada's huge delegation, oddly enough, did not include any direct representatives from International Nickel Corp., generally considered to be the leader in ocean mining technology; however, it was among the few delegations that had members from the country's trade unions.

Company activity outside of the conference was intense. Meetings of transnational mining firms were held in Geneva on March 30-April 5 and again on May 15 to work out policies on international seabed questions. The first gathering, organized by Leigh Ratiner, a former U.S. Law of the Sea negotiator and now counsel for Kennecott Corp., took issue with developing country demands for extensive controls over private high seas mining ventures, especially with respect to taxation and royalties and controlling interests in joint ventures.

Fear of instability.

Not surprisingly, the emerging Law of the Sea text represents a compromise between the earlier position of the poorer countries and the industrialized state/transnational company stand. In his May 19 press conference, Elliott Richardson noted major moves toward agreement on royalties and the sharing out of profits made by firms under license to the International Seabed Authority. One of the biggest steps forward, he added, was the settling of a long-term dispute between Canada and the U.S. over ocean mining for nickel. The Canadians, the world's largest nickel producers, have been worried that the U.S., the world's biggest nickel consumer, might get into seabed mining in a big way to reduce its dependency on Canadian nickel. The two countries have now agreed on a 20-year ceiling on ocean nickel output.

Some observers fail to see why seabed mining has created such a storm in UNCLOS III. After all, the world market for the minerals found on the seabed (cobalt, copper, manganese, nickel) is now so depressed and land-based supplies so plentiful that few companies are likely to risk capital in new ventures. Besides, getting into ocean mining can be costly: \$700-900 million a site. However, there is evidence to suggest that these observers are missing the point.

Except for nickel, the metals found on the deep seabed are now being supplied by countries considered potentially unreliable by Western consumers. Once you realize that Zaire accounts for over 50 percent of world cobalt output, you get the point. And, the major copper producers (Chile, Peru, Zaire and Zambia) are also notoriously "unstable." Finally, the two top sources of manganese are South Africa and the USSR. Seabed mining seems to offer the market economies an alternative to dependence on these suppliers; and this helps explain their preoccupation with the ocean mining question.

The problem now is: will the U.S. wait until UNCLOS III produces a final text or will it push ahead with H.R.-3350? A Law of the Sea to which the U.S. wasn't a party would be a dead letter.

For more information about the Law of the Sea negotiations, contact: Miriam Levering, Ocean Educating Project, 245 2nd St., N.E., Washington, DC 20002; or Barbara Weaver, United Methodist Law of the Sea Project, 100 Maryland Ave., N.E., Washington, DC 20002.

THE SOVIETS

Stalin's ghost hovers over Constitution

The recent trials of Soviet dissidents have refocused attention on the question of constitutional rights and civil liberties in the Soviet Union. In a four-part series, beginning this week, Albert Resis, a specialist in Soviet affairs, analyzes the conflicts that surround the recently adopted Soviet Constitution.

By Albert Resis

The new Soviet Constitution, ratified on Oct. 7, 1977, has stirred scarcely a ripple of interest abroad. Soviet publicists decry this silence as a coverup designed to keep Western workers ignorant of the constitutionally guaranteed advantages enjoyed by the Soviet populace.

More difficult for Soviet publicists to explain is why the "Brezhnev Constitution" has been viewed with bored indifference by labor and the left in capitalist countries. It was not always that way. In 1936 the adoption of the "Stalin Constitution" (penned mainly by Bukharin), roused admiration and hope in millions of the unemployed and dispossessed throughout the world.

True, many Americans scoffed at the claim that formerly backward Russia had abolished unemployment and want, creating the most progressive, just, and democratic society in the world. Other Americans, however, marveled at the 1936 Constitution: it guaranteed the Soviet citizen the right to a job and paid vacations, free health care and social insurance, free education, and equality for all, irrespective of sex, nationality, race or religion. Leftists hailed Moscow's proclamation of this new body of human rights and creation of a "classless society free of exploitation of man by man" as human liberation's greatest advance since the Bill of Rights. And Stalin boasted that the Soviet Constitution was "the only thoroughly democratic constitution in the world."

Stalinism and de-Stalinization.

Suffice it to say, just when Stalin asserted this claim, his political police were arbitrarily imprisoning millions of people and executing tens of thousands in the Great Terror of 1936-38. A lesser terror followed from 1945 to Stalin's death in 1953.

Stalin's successors, in Isaac Deutscher's words, "dismantled the terror machine." They curbed the political police, executed its most culpable chiefs, and emptied the forced labor camps. Former camp inmates were "rehabilitated," many of them posthumously.

Khrushchev, since 1956 the premier proponent of de-Stalinization, condemned the Stalinist "cult of the personality" as a "distortion" of Soviet socialism. Khrushchev proposed in 1959 to consolidate the restoration of "socialist legality" and "Leninist party norms" by radically re-writing the "Stalin Constitution." He failed. But he did secure the adoption of a new Program of the Party in 1961, which promised still greater democratization of Party and State.

In 1962 Khrushchev called the Stalin Constitution obsolete. He called for a new constitution that would raise Soviet democracy to a higher level and preclude a reversion to Stalinism. But in October 1964 Khrushchev was forced to resign all of his offices. Leonid Ilich Brezhnev, Party General Secretary since 1964, announced that he favored completion of the new constitution by the 50th anniversary of the revolution in 1967. But another decade passed before a new constitution was promulgated. Why has it taken nearly 15 years to produce a new constitution?

Neo-Stalinists regroup.

On March 5, 1978, a considerable number of "neo-Stalinist" leaders nostalgically but unofficially observed the 25th anniversary of the death of J.V. Stalin. The "neo-Stalinists" have fought every major democratic reform proposed since



Supporters of Soviet dissident Anatoly Shcharansky gather outside the courthouse where he was being tried.

Who will triumph—the party democrats, the moderate conservatives or the neo-Stalinists?

1953. By stressing "continuity," the neo-Stalinists have fought to retain the 1936 Constitution or at least to keep a new one as "Stalinist" as possible. Until June 4, 1977, they successfully blocked the promulgation of a new constitution.

This reality of recent Soviet politics is little known abroad. Rigorously maintaining the facade of Party "unanimity," Soviet leaders shroud their disagreements in the most closely guarded secrecy. In fact, however, the struggle over political, civil, and human rights in the USSR is also fought out *within* the Party. Soviet secrecy, unfortunately, prevents our knowing how the top leaders align themselves on this struggle. But, as Roy Medvedev, the most incisive Marxist political analyst, reveals in his book, *On Socialist Democracy*, the Communist Party of the Soviet Union is divided on these issues between "neo-Stalinists," "moderate conservatives," and "party-democrats."

The anti-intellectual, anti-semitic, and Great Russian chauvinist "neo-Stalinists," want to reverse de-Stalinization. They fight to suppress deviations from Stalinist orthodoxy and seek to centralize state and party authority. They favor imposition of Soviet orthodoxy on fraternal Communist parties in other countries and look askance at detente with the U.S. because it contaminates the ideology of Soviet citizens.

The "moderate conservatives," typified by Brezhnev and Kosygin, stand for the *status quo* but frequently oscillate between the neo-Stalinists and the "party democrats." The latter call for a return to, and further development of, a Marxism-Leninism cleansed of Stalinist excesses. They advocate greater freedom of expression and information, reduced central controls, greater local initiative in the form of broader political participation, increased workers' control ("self-management") of the economy, and abolition of discrimination against the non-Russian nationalities. They seek closer alignment with progressive, democratic, and socialist elements abroad, as well as with national liberation movements. And they

urge a more vigorous pursuit of peaceful coexistence with the U.S.

The "moderate conservatives" dominate the Party by counter-balancing its two wings through timely concessions to each. For example, in 1966 the neo-Stalinists opened a savage campaign to silence dissent by placing leading dissidents Andrei Siniavsky and Yuri Daniel on trial. In 1967, while arrests of major dissidents continued, Brezhnev suggested that a new constitution should reflect the "broad opportunities" Soviet rule opened for "the further improvement of socialist democracy," a concession to party democrats. Since 1966-69 waves of repression have alternated with phases of relaxation; but until recently, with the A. Shcharansky and A. Ginsburg trials, repression did not attain the severity it reached earlier.

The 1936 Constitution.

In short, the neo-Stalinists do not have a permanent open season to hunt down dissidents. KGB Chief Yuri Andropov claimed last September that growing social cohesion reduced the number of Soviet citizens convicted of "anti-Soviet" activity to an all-time low. Andropov's claim notwithstanding, dissidence has been growing. Hitherto an intellectuals' trend, the human rights movement took a qualitatively new form in December 1977 when a small group of Soviet workers, fired for protesting unsafe working conditions, speedups, and other grievances, set about organizing a labor union independent of the official unions. Imprisonment and commitment to mental hospitals seems to have destroyed their movement.

The neo-Stalinists have substituted selective intimidation for mass terror. They bulldoze non-conformist paintings and clap individual "anti-Soviet" elements into psychiatric hospitals or prison. Non-conformists are fired from their jobs, blacklisted, then threatened with arrest for "parasitism." The neo-Stalinist versions of "Catch-22" deny certain "malcontents" permission to emigrate, while

deporting those who wish to remain. Several small nationalities Stalin branded as "traitors" and exiled during WWII, although since "rehabilitated," are still denied the right to return to their native lands. Jews remain deprived since 1948 of cultural, political and religious rights equal with other groups.

The 1936 Constitution has continued to inspire democratically minded Soviet citizens, within the party and without, as a program yet to be fulfilled. The most effective dissenters were those who demanded that the government observe its own Constitution. The authorities have retorted that Soviet rights and freedoms must be exercised "in conformity with the interests of the working class," according to the 1936 Constitution. The state, therefore, can proscribe any word or action deemed contrary to these interests.

In this struggle within the party, how far were the moderate conservatives and party democrats willing to go in de-Stalinization? Because the constitutional commissions have met in secret and their proceedings have so far not been published, our information is scant. But we do have some clues from the official press where unprecedented reforms have been proposed. For example, in 1965 and 1966 authoritative jurists recommended that more than one candidate be nominated to run for a Deputy's seat in the Soviets. But, in the wake of the first major trial of dissidents, liberal recommendations were squelched. For ten years a new constitution seemed to be a dead issue. Then in February 1976 Brezhnev informed the 25th Party Congress that work on a draft constitution was proceeding "without haste" and he set no completion date.

Suddenly, on June 4, 1977, Brezhnev, Chairman of the Constitution Commission, submitted a draft constitution for nationwide discussion. What brought about the breakthrough? Does the Brezhnev Constitution signify victory for the neo-Stalinists or the party democrats? These questions will be discussed in subsequent installments of IN THESE TIMES.

Text and photos by
Michael Goldberg

"Building up resistance in your system."



I'm a steppin' razor
don't you watch my size
I'm dangerous
I'm dangerous

The author of "Legalize It" lights up a cigar-sized joint. Peter Tosh, cofounder of the Wailers, is sitting on the shag rug in the living room of a spacious third-floor apartment in San Francisco's Mission District. American disco plays on the stereo.

"Smoking herb make you healthy," he says, his words slow, heavy and thickly accented. "Builds resistance in your system and if you keep building resistance in your system, you don't have to go to doctor. I never go to doctor."

You ever sick?
"No," he laughs. Then he turns serious. "Herb was made illegal by the philosophers of Jesus Christ philosophy and the fantasy world and the doctors world so as to keep the people sick."

But Tosh is in good humor. He rarely betrays the pent-up frustration that explodes in such classic revolutionary reggae as "400 Years," a tirade against slavery, or "Get Up, Stand Up," a righteous call to the downtrodden to stop being duped and start fighting.

"Get up, stand up/Stand up for your rights/Get up, stand up/Don't give up the fight/We're sick and tired of this game of technology/Humbly asking Jesus for his mercy/We know and we understand/That mighty Jah is a living man/You can fool some people some times/But you can't fool all the people all the time/And now we see the light/We gonna stand up for our rights."

Up until 1974, Peter Tosh was one-third of the main core of the Wailers. His comrades in reggae were Bob Marley and Neville Livingston (Bunny Wailer). In addition to writing some of the Wailers' more militant songs, Tosh provided the tough, stinging lead guitar and the somber bass harmony on all the Wailers' records through their second American album, *Burnin'* (Island).

But in 1974 Tosh refused to tour with the Wailers and then quit the group, reportedly unhappy about all the media attention Marley was receiving while he and Livingston were relegated to the background. Tosh agrees, "That was one of the things

and the next thing was that I was writing songs but not getting the chance to sing them."

Why?
"I don't know why but it was a reason that the only way for me to solve was to be where I am now. Cause Jah give the inspiration every day to make songs!"

Tosh recorded a number of singles in Jamaica, including the controversial ganja song, "Legalize It." In that song, which was banned in Jamaica thus helping it to become an instant classic there, he sang, "Legalize it, don't criticize it/Legalize it and I will advertize it/Some call it tampee/Some call it the weed/Some call it marijuana/Some call it ganja.../Legalize it, yeah, yeah/That's the best thing you can do."

In 1976, Tosh signed an international deal with CBS Records and released his debut solo album, *Legalize It*, which was followed in 1977 by *Equal Rights*.

According to Tosh, CBS failed to promote the albums. "They're not very professional where reggae is concerned." This year he passed on his option to record a third album for CBS and subsequently signed with Rolling Stones Records. Tosh was in San Francisco staying in a comfortable private apartment for several days during which he opened for the Rolling Stones before 60,000 people and played on his own to four sold-out crowds at San Francisco's Old Waldorf.

When asked about the apparent contradiction implicit in a black champion of the poor and oppressed hooking up with Mick "Under my thumb"/"Black girls like to fuck all night" Jagger, Tosh says, "Music must be sold. I want to sell records. By being on the Stones' label and touring with them I know that thousands more people will buy my records. And that's what record companies are interested in. They're not interested in me, they're interested in their money, mon. That's it!"

Tosh is deliberately vague about his relationship to the

stand the limited interest that Americans have for Rastafarianism. Still, hardly a sentence goes by without some mention of Jah.

Born Peter MacIntosh, he grew up in western Jamaica, was brought up in the Pentecostal church and didn't discover that he was a rasta until his teens.

"You read about God and his disciple Jesus and his associates," says Tosh sipping fresh-made fruit juice spiked with ginseng. "But all those people were taught to me in fantasy. That is illusion, madness. They say God is a spirit. They say God made man in his likeness, in his image. I am man. And if God made man in his own likeness and image, how come God is a spirit and I am not? See, those ignorances I investigated."

The truth to liars.

Tosh began singing when he was three. "I made my first guitar at about four," he recalls, "with a board and a sardine can and plastic wire and wood shaved down to make little tuning knobs."

Tosh moved to the ghettos of Kingston when he was 15. He claims that living in the ghetto was the best education he ever had. He admits that it was a toss up whether one would survive from one day to the next. "All kinds of destruction you can think of came my way and I counteracted them through the powers of the most high. Through the powers of the *Most High*! Some call him God, some call him Jesus."

Tosh gives me a burning stare that could turn steel molten. "I call him *Jah Rastafari*," he yells, his voice echoing a little unnervingly in the almost empty room.

Two years after he arrived in Kingston, Tosh met Bob Marley and Neville Livingston. "I move from one side of the ghetto and come to a place where Bob and a whole lot of singers are," says Tosh, lighting another spliff. "And there is a time when all the singers get together and sing, go out in the fields and make melodious songs with one guitar and some men knocking on pans and

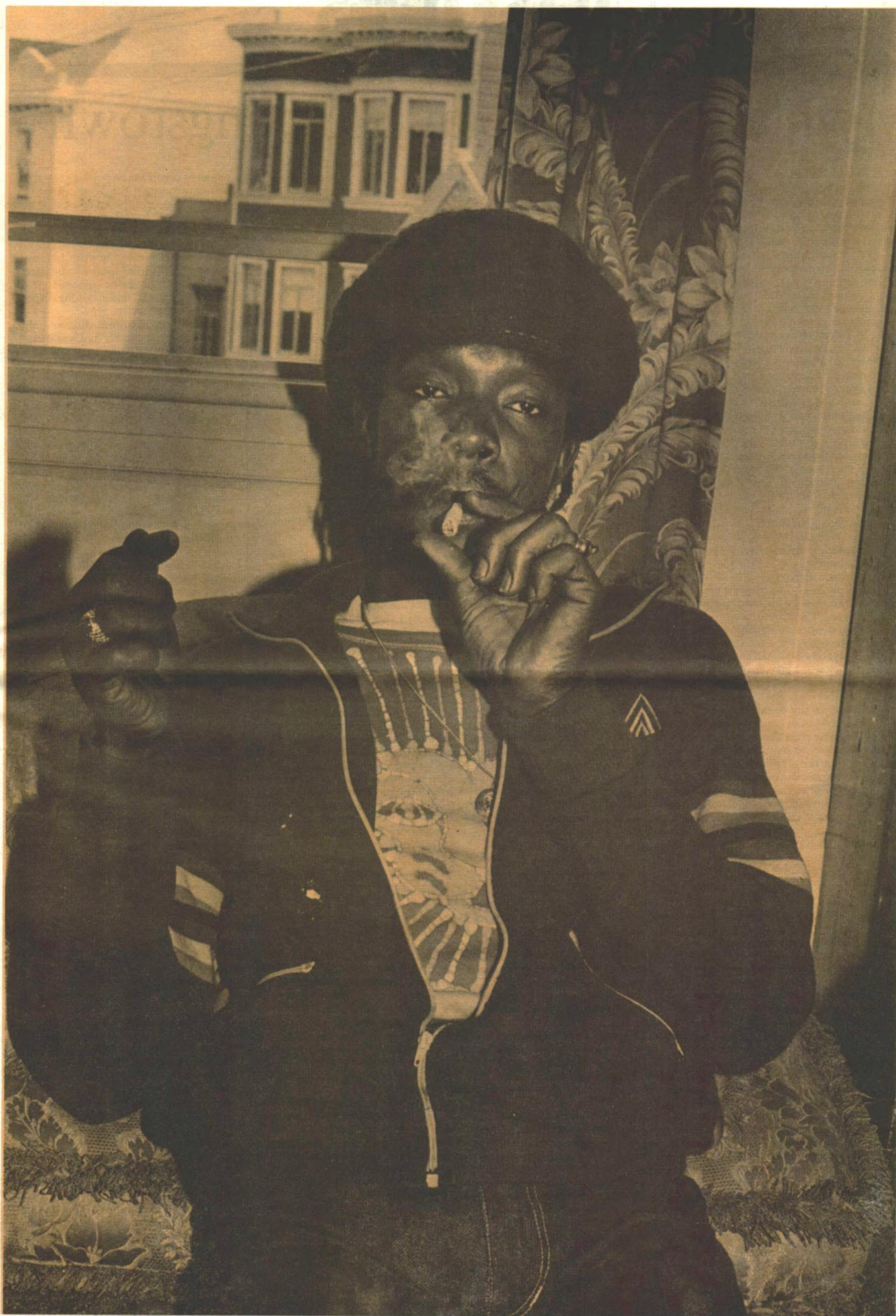
some men knocking on drums and just whatever they have. And people like it and me and Bob think we should do something with it."

The Wailers formed in 1964 and went through several different names—Wailing Rudeboys, Wailing Wailers and Wailing Soul—before just plain Wailers stuck. After several years of scoring Jamaican hits they hooked up with legendary producer Lee Perry and recorded a series of songs that many consider to be the Wailers' classic body of work. The Perry sessions are available on two import albums, *Rasta Revolution* (Trojan) and *African Herbsman* (Trojan). According to Tosh, the Wailers never made any money while he was part of the group. "We always the victims of the circumstances 'cause we always be getting good name and film but no money."

At his local appearance at the Old Waldorf, Tosh fronted a steaming reggae band that included bassist Robbie Shakespeare and drummer Sly Dunbar (considered to be the cream of the reggae rhythm sections). Tosh sang one song of righteous outrage after another. "Downpressor Man," a hypnotic track off *Equal Rights* was a fitting encore for the audience filling the showcase club. In the song, Tosh speaks of the fate of the powerful and the wealthy come Armageddon and/or the revolution. "Downpressor man, where you gonna run to.../You gonna run to the sea, the sea will be boiling.../You gonna run to the rocks, the rocks will be melting.../You can drink champagne and laugh 'ha ha ha'.../You can run but you can't hide.../You gonna run to the lord, beggin' him to hide you.../Downpressor man, I don't know where you gonna run to."

I ask Tosh about the violence in some reggae lyrics. "Reggae is not violent," he says. "Reggae is just outspoken, mon. Reggae just speak the truth. It not a matter of violence. But the truth to liars is always offensive and looks violent. The truth is always a threat to a liar, always a threat irrespective of the temperament of how the truth is being spoken. It is always a threat."

Michael Goldberg is a free-lance writer in San Francisco.



IN THESE TIMES

Editorial

Myth and reality play in Youngstown

The Lykes Corporation's shutdown of the Youngstown Sheet & Tube Campbell steel works last September, idling 5,000 workers, and the frustrated attempts since then by workers and community people to reopen the plant (see David Moberg's story, *ITT*, Aug 9.), throw into sharp relief some basic myths and realities about corporate America.

Myth: "Private enterprise" maximizes citizen initiative and self-reliance, local autonomy and self-determination. The reality, as typified in the Youngstown situation, is that corporate enterprise centralizes control in absentee ownership that reduces workers, citizens, and local communities alike to powerless dependency.

Myth: "Private enterprise" in pursuit of profit maximizes social well-being. The reality is that profit-making through corporate ownership of society's productive capacities is socially irresponsible and destructive of the economic and social health of countless individuals, their families and their communities.

Myth: "Private enterprise" cherishes individual dignity. The reality is that the dignity of the individual investor or property owner takes precedence over that of the individual worker.

Myth: "Private enterprise" is synonymous with democracy. The reality is that corporate concentration of wealth preempts the people's ability to determine their living and working conditions by democratic processes.

Myth: Everybody is equal under the law. The reality is that the law bestows upon property owners powers and privileges denied to everyone else.

The Youngstown city council, or other such elected public body, even if it wanted to, could resume plant operations only if it had the money to buy the property from Lykes. But the corporations have the money; city councils don't. Similarly, the coalition of workers and community leaders seeking to restore plant operation does not command the wealth with which legally to assume ownership, even if Lykes would sell. Banks and other private investors who have been invited by the coalition to supply some of the needed



funds for purchase and development of the facility have balked, candidly stating that their profit-interest is inconsistent with worker-community control of the enterprise.

Myth: Federal intervention, in and of itself, necessarily centralizes power in distant government destructive of local initiative. The reality is that a federal role could bring power closer to home—if federal law empowered localities with first option to assume worker-community ownership of enterprises shut down by private investors, and provided the funding for doing so. Such federal law would be necessary to prevent interstate and multinational corporations from playing states and localities off against one another and against foreign countries.

Instead, the Carter administration has opted for corporate control. Attorney-

General Griffin Bell has sanctioned the merger of Lykes with LTV Corporation (owner of Jones & Laughlin Steel), against the recommendation of the Justice Department's own anti-trust division. The effect is to head off efforts at creating a worker-community owned enterprise, and to remove power over Youngstown's destiny to still father reaches of an absentee corporate bureaucracy. This kind of federal intervention is the "inaction" corporate executives and "anti-big government" conservatives applaud.

The Youngstown situation has nevertheless brought to public attention creative proposals by the worker-community coalition for socially responsible economic arrangements suited to restoring local initiative, democratic processes, and worker and citizen self-reliance. At least rudimentarily, the proposals also embody a

model of organization pointing toward a non-statist socialist democracy. They call for ownership of the steel enterprise, not by government but by workers and community groups who would be responsible for management and empowered to use profits for investment in plant improvement and for funding local social services, instead of profits being siphoned off to absentee owners as under existing corporate ownership.

But the Youngstown situation also dramatizes problems for and weaknesses of the socialist left that need attention. We mention here only a couple of the more compelling ones.

After long conditioning under capitalism to forego self-reliance and responsibility for the enterprise as a whole, most workers, as became evident in Youngstown, have difficulty with the idea of self-management; lacking self-confidence, many positively fear it. Workers' uncertainty and fear of exercising their own capacities in the workplace extend into the wider political arena, where they tend to defer to the authority and prestige of their "betters" rather than trusting themselves to "run the country."

In essence, democracy is self-government. Without a self-confident working class, ready to govern itself at work and in society at large, there can be no democratic socialism in the U.S. The current mutilation of workers' self-esteem is a basic ideological problem confronting American socialists as well as others seriously concerned for the prospects of democracy in the U.S.

Youngstown reminds us, furthermore, of the paucity and weakness of socialists' roots among working people (as distinct from what are in effect socialist-tending ideas and sentiments). In the absence of an organized socialist movement, popularly respected and trusted, Youngstown-area workers turned to the clergy who responded with a vigorous secular practicality. Is it too much to ask that we socialists put aside our doctrinal wrangling over sacred texts and esoteric jargon and at least match the secular political acumen of our religious brothers and sisters?

Ferency and socialist electoral politics

Zolton Ferency's campaign in the Michigan Democratic party's gubernatorial primary has brought into sharper focus questions relating to socialist participation in electoral politics (see John Judis' "Inside Story," *ITT*, Aug. 16).

Unlike other socialist campaigns for statewide or national office, Ferency ran as a major party candidate explicitly advocating socialism. And in addressing himself to specific issues, he offered socialist proposals as practical remedies for widely felt social ills such as unfair taxation, unemployment, and inflation, rather than treating socialism as some far-off vision unrelated to people's specific grievances and problems.

The Ferency campaign differed in two other ways. Far from running for "educational purposes," Ferency ran to win, and to win as a socialist. And he ran as a front-runner, taking not some small token share of the vote but, in a field of four, attracting 26 percent, finishing second to State Sen. William Fitzgerald's 39 percent.

Ferency's campaign offers substantial reason to believe that there is a popular base in Michigan for socialist politics in the electoral arena. It suggests that socialists in other states may discover and build a similar base by candid advocacy

of socialist remedies for problems of immediate popular concern.

The Ferency campaign lends strong support to the view that electoral politics is an effective area of socialist political work. It does so, that is, if like the Ferency people, we see electoral politics broadly as a long-term commitment involving on-going political activity, not sporadic biennial or quadrennial slate-running, and a step-by-step process of building a popular socialist presence in American politics that in spite of losing this election or that has enduring staying power. Bourgeois political movements don't pick up their marbles and go home upon losing an election, and neither should socialists; they know the importance of staying in the game, and so should socialists.

With such a commitment, socialist electoral politics is effective in spreading socialist views and values, making them familiar to Americans as a legitimate part of the political scene, and identifying socialist alternatives to capitalism as practical programs for change. It is also effective in accustoming socialists to advocating socialism in ways suited to the American people, that is, respecting the people and talking with them, rather than down to or at them, or past them.

But some may argue that a popular or "winning" electoral politics will require "diluting" socialism. But socialists who fear popularity as the road to "dilution" or anticipate winning only at the expense of principles are evading the task of adapting socialism to their own people's historical circumstances and in effect are relinquishing the hope for a socialist America in our times.

Undoubtedly popular socialist politics will generate all the vexing problems ranging from opportunism and dogmatism to personal rivalries and programmatic disputes. But having to deal with them as problems of a real popular movement would be a long step forward. And dealing with them in public subject to the participation and judgment of the people at large, not just leaders and cadre of semi-private parties, is the best way of making socialism the people's business and the potent force for social change it has become in other countries.

The Ferency campaign also indicates the viability of running for office as a socialist within the formal framework of a major party. We don't think it shows major party candidacy is the only way, or even necessarily the preferable way. Ken Cockrel's election as an independent socialist to the Detroit city council (though

not a statewide office) indicates otherwise. This, we think, is a practical, not a doctrinal question, to be approached flexibly according to circumstances.

The Ferency campaign also reminds us of questions we socialists have neglected. His victorious opponent, William Fitzgerald ran strongest in blue-collar white working class areas, where Ferency ran poorly. The socialist left, old as well as new, has long neglected building a political base among white blue-collar workers. Socialist electoral movements must seek to expand their base in that direction. Otherwise, a popular socialist movement capable of combatting racial and sexist division among working people cannot be expected.

We know that many will disagree with some or all of the conclusions drawn here. But what is new and important about the Ferency campaign, especially if it should develop into a movement for the long haul, is that it has made debate on these issues unavoidable for socialists and relevant to larger numbers of Americans. That marks an advance for socialist politics in the U.S., however gloomy the times may now seem. For in the real world of the American people, if you're out of electoral politics, you're out of politics. The Ferency campaign has pointed a way back in. ■

Letters

Is Marschall anti-NAM?

I HAVE READ MANY OF DAN MARSchall's labor columns, and have always respected his writing and his analysis. However, Marschall does not seem to be able to cover left conventions quite so well.

Like Marschall, I was at the recent NAM convention in Milwaukee. Unlike Marschall I came away from the convention with a good feeling about NAM as an organization. My impression of the convention was not nearly so dreary and bleak. Perhaps Marschall's report was influenced more by his personal feelings about NAM than by what he observed in Milwaukee. Marschall's introduction betrayed a certain ill will toward NAM, which led me to believe that the "many" Marschall referred to as having "low expectations" toward the convention may simply have been Marschall and a few of his friends. Certainly the people I talked to about the convention did not come away as depressed as he did, but rather, seemed to be revitalized.

—Bob Quartell
Chicago

Dan Marschall replies:

Like Bob Quartell, I also came away from the NAM convention with a "good feeling about NAM as an organization." Far from being "dreary and bleak," the convention was exciting. It indicated that NAM has made significant progress in the last year. In fact, two-thirds of the article—beyond the first four paragraphs discussing NAM's historic problems—describes convention debates, NAM's deepening involvement in labor work, and its range of other activities positively. As a NAM activist in several chapters for the past seven years, I certainly harbor no "ill will" towards the organization.

Bob Quartell's objections apparently stem from the fact that I discussed NAM's stagnation between 1975 and 1977. This perception has been common among left activists in and around NAM. Accurate news analysis should not downplay such weaknesses. I agree that it is not accurate to say that "many" NAM members did not think this malaise would change. "Many" probably would not agree that a malaise existed in the first place. Regardless, the convention showed that NAM is moving towards overcoming its deficiencies.

Public health

THERE ARE CERTAIN PREMISES in the debate on professional school admissions policies which both sides seem to accept, and which therefore need to be questioned.

First, why should test scores weigh so heavily in the admissions process? Can "ability" be precisely measured by any test? It seems to me that the use of more subjective criteria might yield doctors just as technically competent, but with a greater ability to communicate with patients, and a greater desire to promote health regardless of remuneration.

Second, it is taken for granted that the school should decide, within certain limits, what the admissions policy will be, yet the public will have to live with the results. Shouldn't we have a bit more say?

Third, why are there so few medical schools? More fundamentally, why is the knowledge and power of healing concentrated in so few minds?

The legal barrier against people's learning more about healing serves to transfer tremendous wealth to the medical industry, and also blocks desperately needed progress in preventive medicine. I believe that it would be more healthy for the medical profession to come down from its hegemonic position, share what it knows, and give free rein to a variety of healing alternatives that are currently discouraged or suppressed.

—Geoffrey Young
Cambridge, Mass.

Honesty and class struggle

I'D LIKE TO QUESTION THE PROPRIETY of your giving a full page spread reviewing a vulgar exploitation game (*Class Struggle*, *ITT*, Aug. 9) in view of the following:

1. The owner of the game has been advertising it for months in *IN THESE TIMES*;

2. You never (to my knowledge) reviewed any other game. If *ITT* plans further participation in this kind of shoddy rip-off, please cancel my sub. I thought you were honest.

—Marvin Mandell
Cuttyhunk, Mass.

Editor's Note: We thought so, too. The ads are our own—we sell the game to make money. The owner has not advertised yet.

Enlightenment's child

CONGRATULATIONS ON YOUR special section on "Christian Witness" (*ITT*, Aug. 2). I hope you will continue to report on the religious dimension of socialist struggle.

While the left's historical insensitivity to religious phenomena is understandable, it is not enough to treat the religious question in isolation. Charles Slap in his piece casually remarked, "Religion, like the flag, has been abandoned by the left." There is more than coincidence in the connection.

The failure to comprehend religion by the left is part of the general failure of Enlightenment rationality to comprehend the dimension of symbol, especially as it is rooted in and flows from popular culture. Antonio Gramsci and James Connolly before him were probably the first Marxists to begin to understand this. But for the most part in modern history, the socialist movement has been the radicalized child of the Enlightenment, sharing the same weakness in the area of symbol with its older sibling, liberalism. Except that by radicalizing the weakness, the socialist tradition has left itself even more vulnerable before a right wing only too willing to manipulate popular symbol.

If there is a counter-theme within the socialist tradition, it is with the metaphor of art. The poetry of Pablo Neruda, for example, is filled with symbolic imagery from three key areas—national identity, fruitful sexuality, and religious traditions. It is to popular artists, then, rooted in their imagination within popular culture, that we may look for a socialist outlook that can transcend the sterility of Enlightenment culture and reach both forward and backward to what the philosopher Paul Ricoeur has called a "second naivete."

—Joe Holland
Washington, D.C.

Charting unknown waters

I APPRECIATE YOUR PAPER BECAUSE it provides stories and viewpoints not found in other papers. Yet I find myself disagreeing with you often, and sometimes disappointed with the narrowness of your vision and perspective.

Most disconcerting is your differentiation between the public and private sector and simplistic calls for expansion of the former at the expense of the latter.

We are charting unknown waters. To say that what people need is more education, better health care, improved

housing only addresses our most superficial needs as human beings. Our needs transcend the physical and will not be "solved" by our owning the means of production.

I question how much greater the individual's control over his/her life would be in a state-dominated society. I think we need to regain our power through new smaller institutions, such as cooperatives. When our physical and spiritual needs are met by organizations/people that we know and control in more than a symbolic sense then we might begin to see the transformation towards a more meaningful life. Multinational corporations are part of the problem, but more central is patriarchy, bureaucracy, and an over-reliance on nationality.

—Mark Friedman
Terants Harbor, Me

A good teacher?

ENCLOSED IS A CONTRIBUTION to help you out. I am on a limited income and I wish I could give more. Your newspaper is necessary, vital and informative. As a welfare mother I find myself leaning more to leftist activities and to socialism in particular. What I appreciate about *IN THESE TIMES* is that you don't assume that *everyone* knows Marx's theories and explain attitudes without being patronizing. We are all learning; it's best with a good teacher. Thank you.

—Geneva Clark
Oakland, Calif.

We deserve another slap

BEGINNING WITH CHARLES Slap's contradictory clichés about religion, your special section on "The Left Hand of God" (*ITT*, Aug. 2) is irritating to find in a socialist periodical. Repeating exaggerations—even for 2000 years—does not make them true. Generalizing from exceptions produces sophisms.

As a former evangelical christian, I have been interested to discover how knowledgeable Marx and Engels were concerning religious scriptures, and also how frequently one comes across formerly religious people in movement efforts. Of course, within the movement one also finds active members of religious groups.

However, the vast majority of church, synagogue, mosque and temple-going individuals care mostly for themselves. Those who crave true social improvements for all cannot depend upon those who repeatedly ask "How long oh Lord?"

Instead, they seek self-motivated people who really care about others, who have courageously stopped looking for some outside force to solve problems, who have done their homework to avoid repeating the errors of the past.

Anne Braden of the Southern Organizing Committee for Economic and Social Justice, while speaking before a Nashville Methodist congregation in March 1977, had the imagination and courage to observe, "I fail to see how one can apply Christian principles to the world of today *unless* one has some understanding of a Marxist analysis."

There is a lot of similar dialogue going on around the country, but your special section only touched on it. You deserve a lambasting from your readers.

—Gordon A. Chapman
Washington, D.C.

The opiate of the people

AS A SOCIALIST ATHEIST FEMINIST I must respond to both your section on Christian "Marxism," and Michael Stone's letter concerning the so-called "right to life" movement. Martin Luther King and Caesar Chavez were leaders and in the forefront of progressive movements not because of their religion but in spite of it. Religion is the dead reactionary handmaiden of the dead reactionary capitalist system. It dictates good habits, family size, it censors cinema, theater, television, even education, it dictates life values and life styles,

religion is politics, and always the most authoritarian and reactionary politics.

Zionism, the so-called "right to life" movement, and opposition to gay rights are based on the insanity of biblical precepts, as well as on other lies and half-truths. Michael Stone states that the "right to life" movement is not intrinsically reactionary and that progressive forces have been present in the movement. The "right to life" movement is not only intrinsically reactionary but also totalitarian. It is inherently anti-woman. It is also anti-Semitic as well.

To the "right to lifers" the lives of women maimed or killed by illegal abortions are less important than the "right to life" of the fetus. The "right to life" movement is part and parcel of the Catholic Church's quest for power in the U.S.

—Karen Moshewitz
Indianapolis, Ind.

Religion and the left

MANY THANKS FOR YOUR consideration of the church and social justice (*ITT*, Aug. 2).

Those of us who are both Christian and socialist are often very lonely. The church, still a staunch defender of capitalism and its works, wants nothing to do with us because we are socialists. (I recently returned Rev. Jerry Falwell's questionnaire in *TV Guide* with all the "wrong" answers.)

Likewise, most left groups are suspicious of us because we are Christians who believe that human beings are more than flesh and blood. We are immediately classed with Billy Graham and Anita Bryant as "reactionaries." Living in a rural area like mine only intensifies the problem.

IN THESE TIMES has become the first general-circulation publication on the left to take seriously the view that a person may be both Biblical and socialist. Congratulations and thank you.

—George Derringer
The Hutchinson Leader
Hutchinson, Minn.

Toward rationality

I COULD HARDLY BELIEVE MY eyes as I read Charles S. Slap's article in your Aug. 2 issue. Yes, we must recognize the subversive aspect of religion, and not just pass over it, as Slap passes over the unending history of crimes committed in the name of God. And, yes, also we must recognize that much of the left is left struggling "without a rootedness in the ultimate sources of life." The point, however, is not to cry out for a return to some hypothesized "pure religion" which will allow us to measure all things. We ourselves are the only measure we have.

Rather than turn backwards to ancient modes of "thought," we must struggle forward to a new synthesis of human knowledge, to a new understanding that unites 2500 years of philosophy and science.

Only in the continuous and critical application of reason can we be true to and make the most of our heritage. Faith may for a moment lead us down the right path. But faith itself contains a great danger—for faith is precisely the relinquishing of *human* freedom and *human* responsibility in the name of something "higher." And for man there can be no such thing; which point, for me, when form was reduced to content, was brought home by the Gospels themselves.

—Robby Bick
Seattle, Wash.

Editor's note: Please keep letters under 250 words. Otherwise we must make drastic cuts, which may change what you want to say. Also, please type and double-space letter, or at least write clearly and with wide margins. Letters must be signed, with a return address. We will withhold your name or use a pseudonym if you wish, but we will not print unsigned letters or those without addresses.

From the Grassroots Toward a united black strategy

The chief failure of black leadership since the '60s has been the inability to unite around a common strategy. Some black leaders like Jesse Jackson of Operation P.U.S.H. emphasize "self-help" programs and a possible coalition with Republicans. The NAACP recently endorsed the energy-policy ideas of the major oil corporations in a feeble attempt to construct a black-oriented energy strategy. Some blacks accept without reservation the Carter administration's initiatives in economic planning and cutbacks in social service programs; still others cling to the illusions of the past decade. Seldom, if ever, do black intellectuals and activists propose basic tenets or a policy statement from which *all* energies may be channeled.

During the Great Depression, W.E.B. DuBois attempted to create such a general program. DuBois was probably the greatest black writer, intellectual and activist in American history. A founder of the NAACP, for 24 years he edited the *Crisis*. His major works, including *Souls of Black Folk*, *Black Reconstruction* and *Darkwater*, are among the most influential writings in Afro-American literature.

Corresponding extensively with young black educators and political activists, DuBois drafted what he called "A Basic American Negro Creed," a statement of basic principles from which all black economic, educational and cultural planning could be directed. DuBois attempted to publish the "Creed" under the topic, "The Negro and the New Deal," published by the American Association for Adult Education. DuBois' views were considered "too controversial" by both the white and Negro

educators; the "Creed" went unpublished for several years. Finally, in his autobiography *Dusk of Dawn*, published in 1940 by Harcourt, Brace and Company, DuBois finally expressed his ideas for black solidarity. Once again, almost four decades later, the need for a "Basic American Negro Creed" has become even more urgent. We print a shortened version of the "Creed" below, to stimulate discussion and to motivate black people toward the rewriting of such a "Creed":

Basic American Negro Creed.

A. As American Negroes, we believe in unity of racial effort, so far as this is necessary for self-defense and self-expression, leading ultimately to the goal of a united humanity and the abolition of all racial distinctions.

B. We repudiate all artificial and hate-engendering deification of race separation as such; but just as sternly, we repudiate an enervating philosophy of Negro escape into an artificially privileged white race which has long sought to enslave, exploit and tyrannize over all mankind.

C. We believe that the Talented Tenth among American Negroes, fitted by education and character to think and do, should find primary employment in determining by study and measurement the present field and demand for racial action and the method by which the masses may be guided along this path.

D. We believe that the problems which now call for such racial planning are Employment, Education and Health; these three: but the greatest of these is Employment.

E. We believe that the labor force and

intelligence of 12 million people is more than sufficient to supply their own wants and make their advancement secure. Therefore, we believe that, if carefully and intelligently planned, a co-operative Negro industrial system in America can be established in the midst of and in conjunction with the national industrial organization.

F. We believe that Negro workers should join the labor union movement. We believe that Workers' Councils organized by Negroes for interracial understanding should strive to fight race prejudice in the working class.

G. We believe in socialism: that is, common ownership and control of the means of production and equality of income.

H. We believe that we can abolish poverty by reason and the intelligent use of the ballot. We do not believe in war as a necessary defense of culture; nor in violence as the only path to economic revolution.

I. We conceive this matter of work and equality of adequate income as not the end of our effort, but the beginning of the rise of the Negro race in this land and the world over, in power, learning and accomplishment.

J. We believe in the use of our vote for equalizing wealth through taxation, for vesting the ultimate power of the state in the hands of the workers; and as an integral part of the working class, we demand our proportionate share in administration and public expenditure.

K. This is and is designed to be a program of racial effort and this narrowed goal is forced upon us today by the unyielding determination of the mass of the white race to enslave, exploit and in-

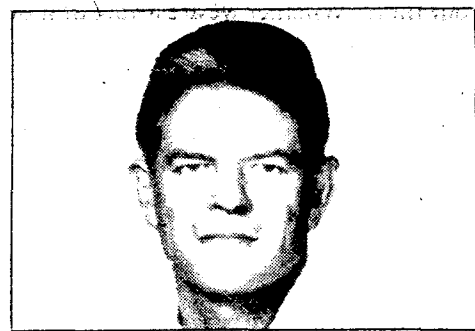
sult Negroes; but to this vision of work, organization and service, we welcome all men of all colors so long as their subscription to this basic creed is sincere and is proven by their deeds.

* * * * *

In several respects, the "Basic American Negro Creed" by DuBois no longer fits today's economic or cultural realities. In 1940, less than two-thirds of all black people were literate; educated blacks thought of themselves as a kind of "Talented Tenth." DuBois' suggestion that intellectual blacks "should find primary employment in determining by study...the present field and demand for racial action" is profoundly elitist. Points H. and J. emphasize the importance of the ballot, written at a time when fewer than one in ten black adults were allowed to vote. In the aftermath of the Voting Rights Act of 1965 and other Civil Rights legislation, we have discovered that ballot box power is significantly less important than economic power.

However, DuBois' "Basic American Negro Creed" is an ambitious, clearly-conceived statement of principles which retains much of its freshness and vitality. The need for black-controlled and operated cooperatives, for both consumers and producers, is greater today than in 1940. Full employment, adequate health care and the principle of racial pride are just as important for us now as they were in DuBois' era.

Manning Marable is chairperson of the department of political science, Tuskegee, Institute, Ala., and an associate fellow of the Institute of the Black World, Atlanta.



Staughton Lynd

Labor and the Law The steward vs. the union

The Dave Newman case, reported by *ITT* July 12, and on which Newman himself commented in a letter (*ITT*, Aug. 2), presents a fascinating and fundamental legal issue: To whom is a shop steward responsible?

There have thus far been three court decisions.

In the first decision, District Court Judge Knapp began by rehearsing the facts. He observed that Newman was one of the job stewards in Local 1101 of the Communication Workers of America, which represents 11,000 communications workers in Manhattan and the Bronx. Although Local 1101's bylaws provide that job stewards may be either appointed or elected, since 1972 all job stewards have been elected. The CWA Stewards Manual highlights the role of the steward *both* in interpreting union policy to the membership *and* in passing on the workers' feelings to local union officers and staff representatives.

Newman was elected job steward in 1973 and removed from that position the same year. Prior to his removal, Newman worked with and spoke on behalf of a committee of 60-70 members that published leaflets concerning upcoming contract negotiations. After his removal Newman ran for reelection and won, but the union refused to certify him. In 1975, Newman ran again for steward, won, and this time was certified. He contributed a column to a newsletter critical of the union leadership. At a meeting prior to 1977 contract negotiations, Newman spoke from the floor in support of certain resolutions that the union president opposed. He was thereupon again removed from his position as steward.

Judge Knapp's legal discussion began

by noting that a steward is not an "officer" for purposes of the Landrum-Griffin Act. Accordingly the Court viewed the facts solely from the standpoint of Title I of the Act, the so-called "bill of rights," without considering Title IV, which regulates the election of officers.

The Court found that the union had disciplined Newman solely for exercising a right to free speech, which the Act protects. It found further that Newman's removal "chilled" the speech rights of other stewards. In a footnote Judge Knapp remarked:

"We reject as absurd the defendants' general contention that a steward must believe in and cannot criticize Union policies in order to be able to explain them, and thus that any shop unsympathetic with Union policies may elect only stewards opposing the view which the voters hold."

On appeal, the Second Circuit Court of Appeals reversed. The appellate court endorsed what Judge Knapp had termed "absurd." Its opinion declared: "Unless the management of a union, like that of any other going enterprise, could command a reasonable degree of loyalty and support from its representatives, it could not effectively function very long." The appellate court set aside the preliminary injunction issued by Judge Knapp, and remanded the case to the District Court with instructions that the Court reassess the facts. The test to be applied was the following:

"The inquiry in each case...must be to determine whether a member's opposition to the union's program or policies may be reasonably viewed as precluding him from acting effectively as its representative, and whether this removal from his

official position would tend to prevent him or others from exercising their rights as members under Title I...."

In an opinion just issued, Judge Knapp again reviewed the facts in the light of the test mandated by the Court of Appeals—and came to the same conclusion as before!

The testimony, according to the Judge, "established that Newman's views did not preclude him from performing his duties and effectively acting as a representative of the Local." Newman's handling of grievances was concededly exemplary. Further, in regard to Newman's duty to transmit union policy to the members, "Plaintiffs produced several witnesses, whom we find to be credible, who testified that Newman had fairly explained to them the leadership's position and had supported Local fund-raising and petition drives despite his belief that these activities were not in the members' best interests."

The Court then considered the appellate court's additional requirement that Newman show the purpose of his removal to have been "to inhibit or stifle his exercise of free speech rights as a union member." The removal had this purpose, the Court found. On balance, the Court held that since Newman's criticism of the leadership's bargaining stance preceded the union's firm adoption of a policy, Newman should be reinstated even under the test imposed by the Court of Appeals. (Readers will note the Court's adoption of what in other contexts is termed "democratic centralism.")

This new decision will now again be appealed.

The Newman case is important because the role of the shop steward is critical to

a democratic labor movement. In the better unions, full-time business agents or staff are former stewards who work closely with their successors and leave the final decisions about grievances to those most intimately involved. They function as teachers and advisers, not as dictators. Even in the better unions, however, tension is likely to develop between those who have left the workplace to work full-time for the union, and the stewards and ordinary members still in the shop. The rank and file must rely on the steward to keep the full-time functionaries sensitive to their needs.

In the more bureaucratic or corrupt unions, the steward's role is enlarged. He or she then takes on the tasks that full-timers ought to perform. In such a situation the tendency is for the official union to act as an intermittent policeman on behalf of labor peace, while a network of shopfloor contacts built around the stewards becomes the real union. Thus, in one such situation with which I am familiar, two stewards were discharged for seeking to represent a fellow worker. The business agents discouraged the stewards from trying to get their jobs back and actually testified against them at a National Labor Relations Board hearing. Meantime, one of the discharged stewards has become the shop's *de facto* business agent, coordinating the defense of members subject to discipline and otherwise providing the representation which the official union does not give.

Staughton Lynd, a longtime civil rights and antiwar activist, practices law in Youngstown, Ohio. Readers interested in corresponding directly with Lynd can write him at 1694 Timbers Ct., Niles, OH 44446.



PERSPECTIVES

□ FOR A NEW AMERICA □

Socialism confronts cult of individualism



By Robert Hyfler

The notion that the individual may exist as a physical and psychological entity independent of history, culture, and accidents of birth; that her or his actions may be analyzed, judged, and rewarded in isolation from those of others, has been the catalyst for much that has passed for progress in the past hundred years. American "heroes" from Edison, Teddy Roosevelt, and Lindbergh, right down to James Dean, Spiderman, and Evel Knievel have ridden to fame on the backs of our national fetish of individualism.

That today, so many of our prominent individualist heroes are either in films, comic books, or circuses is testimony to the degree to which the dream of individualism is now but a strong memory. As Michael Harrington is continually saying, collectivization is the basic truth of our times. Whether we are aware of it or not, we are a social people, with socially defined tastes and wants, involved in the social production of that which we consume. Marx wrote *Capital*, in part, to show the intellectual trickery and mystification by which essentially collective labor is transformed into private individual property.

Profits of individualism.

Yet contemporary champions of individualism are persistent. They range from libertarian theorist Robert Nozick to Republican politicians and corporate elites. Mobil Oil, whose multinational corporate existence itself points to individualism's death, is fond of taking out ads in major publications to argue for individual initiative and private enterprise. It is of course obvious to many that these corporate elites and their spokesmen in the GOP are out to use the exaltation of individualism to perpetuate their own hegemony in a world that is anything but in-

dividualistic.

But the banner of individualism is raised by others as well. The foot-soldiers of the radical right are not people of great wealth and power, and can never hope to be. Neither were the pseudo-counter culture types of the past decade who were apt to speak of "doing your own thing" much as their parents proclaimed, "mind your own business." Success-at-any-price students continue to fill college classrooms. They come from all races, genders, and social strata.

Perhaps the most conspicuous of all American individualists is the underclass lawbreaker who seeks a redistribution of income on the level of the individual. It is the misfortune of these "criminals" that unlike those who sit in corporate board rooms, they have neither the money nor the access to power so as to secure rules by which they could play the game of individualism honestly.

Illusionary promises and destructive realities notwithstanding, Americans seem hesitant to part with philosophies of individualism. Although as a political slogan it seems to come with a Republican copyright, no Democratic office-seeker would dare challenge individualism's basic tenets. With nobility and naivete, the Democratic Party has stood firmly for "equal opportunity," the establishment of a fair individualism. Rather than attacking the competitive nature of our society, many within the Democratic Party content themselves in devising equitable criteria for a just competition, even while Democrats have sponsored much social welfare legislation to mitigate the pains that go to the game's losers: the poor, the old, the unsuccessful. However, as the policies of the Carter White House more than indicate, the Democratic Party is not as yet prepared to abandon their loyalties to the goals and principles of individualism and competitive capitalism.

Few Democrats are prepared to make the statement, "If the system cannot afford national health insurance, then the people cannot afford the system."

Rejecting socialism as unattainable, dominant segments of American labor, dating back to Samuel Gompers, have also rejected individualism as a philosophical model for the worker. The mainstream of the labor movement has implicitly, yet consistently, argued that the worker must accept the permanence of both the existence of classes and his own class position; the aim being to improve the condition of his class through collective action. For labor, social legislation exists more as palliative than panacea.

However, the pessimism and limited nature of labor's argument is hardly inspiring to those asked to accept the inevitability of being part of an underclass, albeit cushioned by social reforms. Working class creativity, dissent, and dissatisfaction finds its ways into aimless wildcat action, subtle acts of industrial sabotage, and egoistic ways of thinking that shun unionism in favor of personal advancement. Having rejected the accommodationism of mainstream labor, and being often unprepared to embrace a more radical model of social change, many a worker falls back on a variant of old-fashioned individualism. Little wonder that American workers remain the most underorganized in the western industrialized world.

Socialism and the individual.

Contrary to the assertion of liberal critics, the socialist tradition does not ignore the individual. Important segments of the left have always maintained that the individual is at once the basic unit in society, and, at the same time, a social creature with interdependent ties to other individuals. Socialists have rejected a concept of individualism that ignores people's need for social interaction, and that defines individual needs, wants, abilities, and contributions in such a way as to isolate them from the influence of society and the relationship of the individual to other people. Human happiness, socialists argue, is better served through collective solutions than individual ones. However, so strong did Marx see self-interest as a motivating factor in human affairs that he believed that only the working class, which had the most to gain collectively and as individuals from the endeavor, could be expected to overthrow capitalism.

As an alternative to the old individualism Marx wrote of allowing each "to assert his true individuality," and of creating a social order that would "give everyone social scope for the assertion of his vitality." The Russian anarcho-communist, Peter Kropotkin, popularized a similar concept, calling it "individualization." He understood this to mean that each per-

son should obtain "the full development of all...faculties, intellectual, artistic and moral." Many early socialists, whether Marxist or anarchist, never doubted that the life of the individual could only be enhanced under the new social order that would supplant capitalism.

Admittedly, individualization did not always develop as the favorite battle cry of the left. Second International Socialists of the pre-World War I era, aware of the evils of an overtly brutal capitalism, emphasized the need for greater democracy and a more equitable distribution of wealth. The architects of the soviet experiment were concerned with peace and an end to scarcity, while the socialists of the great depression years found it sufficient to advocate a planned economy based on production for use rather than private profit. In times of acute suffering and blatant exploitation socialists were content with obtaining jobs, decent wages, and security.

In the struggle against the archaic individualism of the 19th century, some thought it necessary to champion class over individual needs and aspirations. Sadly, Stalinists, Maoists, and social democrats alike have tended to defer talk of individualization to some future utopia. Other socialists, while discussing individualization, have done so in elitist terms. The Fabians in Britain, and socialists such as Victor Berger and Norman Thomas in America, presupposed an unequal distribution of natural talents so that individualization became compatible with a stratified social order directed by the "genius" of experts.

An egalitarian focus on individualization as a key element of a socialist program would demand serious thought concerning the reorganization of our political and economic institutions. If we assume that "genius" and talent is rather uniformly distributed among people, then individualization also implies restructuring the division of labor, so as to make creative work available to all. It presupposes bold proposals for change and the possibility that such change might not be brought about as smoothly as our delicate sensibilities might desire. Yet only by offering the individual a setting in which full realization of her or his potential becomes more than an opportunity, and enabling people to share equally in making decisions that affect their lives, can socialism hope to appeal to large numbers of people, hardly wealthy or powerful, who live above the level of human misery in an industrialized world. For them, socialism must transcend the notion of material security implicit in the welfare state. Only a socialism imbued with the idea of individualization is capable of dislodging an age-old individualism from people's minds and put the socialist message in contact with the self-interest of modern individuals.

Can a new left emerge and grow successfully in the United States in the 1970s and '80s?

Not unless its participants know about the success and failures of the American left from 1900 to 1970. In those years, three movements—the old Socialist Party, the Communist Party and the New Left of the 1960s—started and failed. Without knowledge of these experiences a new movement will have no more chance of survival than its predecessors.

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Kucinich Election

Continued from page 3

strong support of the United Auto Workers, a small but sophisticated political machine, and his well-cultivated rapport with white, working class ethnic groups.

The UAW, after international president Douglas Fraser met with Kucinich, contributed \$30,000 to the anti-recall campaign. Bill Casstevens, director of UAW District 2, actively opposed the recall and was featured in a television ad discussing Kucinich's pro-labor record.

While the more conservative sectors of the labor movement oppose Kucinich, he has gradually picked up the support of more progressive unions. Kucinich's relationship with municipal unions has been largely positive: the administration has reached acceptable contracts with 18 of the 19 city unions. A local Teamster official called their contract the "best agreement we've ever won with a city administration, including the fringe benefits."

During the final week Kucinich captured media attention by holding press conferences and meeting with community people. His supporters meanwhile canvassed registered voters throughout the city. Though a hard-core of recall supporters also canvassed neighborhoods, their strategy relied more on rallies, car caravans and phone banks. By the end, Kucinich's high visibility and his staff's capacity to speak directly with voters, proved decisive.

A prime issue in the campaign was race. Since the ghetto rebellions of the 1960s city politics have been divided sharply along racial lines. Though Kucinich has appointed more blacks to his cabinet than any previous mayor and directed specific programs at black neighborhoods, his active support has never been high there. The recall was supported by the conservative leadership of the black community: the major black newspaper, the head of the city council, the president of the board of education, assorted black ministers, and black city council members.

In the final vote, Kucinich won only 28 percent of the vote in black wards, down from 35 percent in the general election. Because many blacks stayed home, and the turnout was heavy in westside wards, Kucinich narrowly won.

But his enemies maintained the offensive. The *Cleveland Press* dubbed him a

"lame duck" mayor because he will come up for reelection in November 1979. The leadership of the Democratic Party immediately demanded his resignation. And recall leaders threatened court battles if the recount failed to go their way.

A long row to hoe.

Kucinich's prospects for re-election in November 1979 will depend primarily on his handling of two developments: desegregation through busing, and Cleveland's financial difficulties. Busing is scheduled to begin in early September and citizen's groups on both sides are gearing up for battle. Kucinich publicly opposes busing, but pledges to protect the children. The controversy will further divide black from white and intensify political pressure on the mayor.

The *Wall Street Journal* recently predicted that the city would find it difficult to avert a fiscal crisis next year. Like other northern urban areas, Cleveland's revenues from a declining tax base have failed to keep up with rising expenses. In recent months Moody's Investors Service has lowered the city's credit rating twice.

Opinions vary on how close the city is to a financial crisis. Administration officials charge that the bond rating drop was a political move by the banks to buttress the recall. The press predicts that the city will be unable to pay some municipal salaries by mid-September. And the city's books are in such chaos that tracking down past revenues and expenditures is virtually impossible.

The recall vote reveals more about the strength of the opposition to Kucinich than about the extent of his popular support. Some voted against recall not necessarily because they are pro-Kucinich, but because they believe he should be given a fair chance to prove himself. Unless Kucinich can refurbish his public image and present positive alternatives to the city's deep-seated problems, he may be defeated next time around.

Regardless of his specific accomplishments, Dennis Kucinich has emerged as a unique progressive politician on the national scene. While expressing his belief in the free enterprise system, he has refused to bow down to corporate interests and play the usual games of political expediency. His basic philosophy appears to be that government actually can work in the people's interests and that societal change will flow only from fundamental economic reform.

"Politicians are too concerned with hobnobbing with the big-shots," he says. "But I see the pendulum swinging towards a politics that represents the power of poor and working people in this country, and away from the people who already have that power."

Pressmen

Continued from page 5.

The strike illustrates the extent to which roles have reversed in the newspaper business. The unions are no longer the real militants, the publishers are. Although costs have risen dramatically in the last five years and New York's three big dailies face stiff competition from out-of-town papers, business is now so good that a strike is a price that can be paid.

The New York Times Company, having posted record profits in 1977, is from all indications headed for another big year; the *News* is turning a profit, although it is not as large as the publisher of the nation's largest circulation daily feels it should be; and the *Post*, while still nursing the effects of circulation losses incurred under the management of Dorothy Schiff, has picked up a reported 120,000 new readers and a large capital improvement budget since Rupert Murdoch, the Australian who owns 84 papers, bought the paper 19 months ago.

The automation issue has doomed many newspaper craft unions. The result is that workers, having gained significant improvements in wages, working conditions and benefits in the last decade, now find themselves struggling just to

hold on to what they have. Demands for contract "give-backs" have dominated labor negotiations this year.

Interestingly, automation is not directly involved in the pressmen's dispute. Although the *Times* and the *Post* now use "cold type" exclusively (computer-produced paste-ups instead of type cast from molten lead) and the *News* is partially automated, the presses are basically operated in the same fashion as they were when an arbitrator established "Unit manning" levels 55 years ago.

What is different, the pressmen say, is the output of the machinery: the same sized crews that in 1923 ran off 30,000 papers an hour now run off 65,000. In addition, they say, the noise of the machinery is well above allowable federal levels and the hazards of inhaling ink vapor and paper dust are the same, if not worse.

Eventually, a press will be installed that will require a small fraction of the current personnel to operate. When that happens, it will be the end of the pressmen's craft and the end of another union. The pressmen in New York can delay that day, but they know they cannot prevent it. The only uncertainty is whether their current holding action will be nasty, brutish and short or nasty, brutish and long.

David Pitt is currently freelancing in New York. He ordinarily works at the Metropolitan Desk at the New York Times.

Solar conference

Continued from page 6.

Even with the criticisms, there were repeated words of support for the experimental process, and for the DOE personnel who had to watch their programs being dissected. David Mascelli of Friends of the Earth stressed the social function of the meeting, saying that these are the kinds of conferences where the public "can find out who the folks are on the other side." It also means the first step in opening the door to a previously tight department. "Now people can find a familiar face in the bowels of the Department of Energy, call them up, and probably get an answer."

The big industry people were also pleased. Mr. Gervais of McDonnell-Douglas pointed out that even the big contractors rarely get a chance to have more than a one-on-one discussion with DOE about building a certain plant or researching an experimental solar system. He said this was the first time he had been given the opportunity to "see the whole picture."

Bennet Miller took a more philosophical view of the conference. He admitted

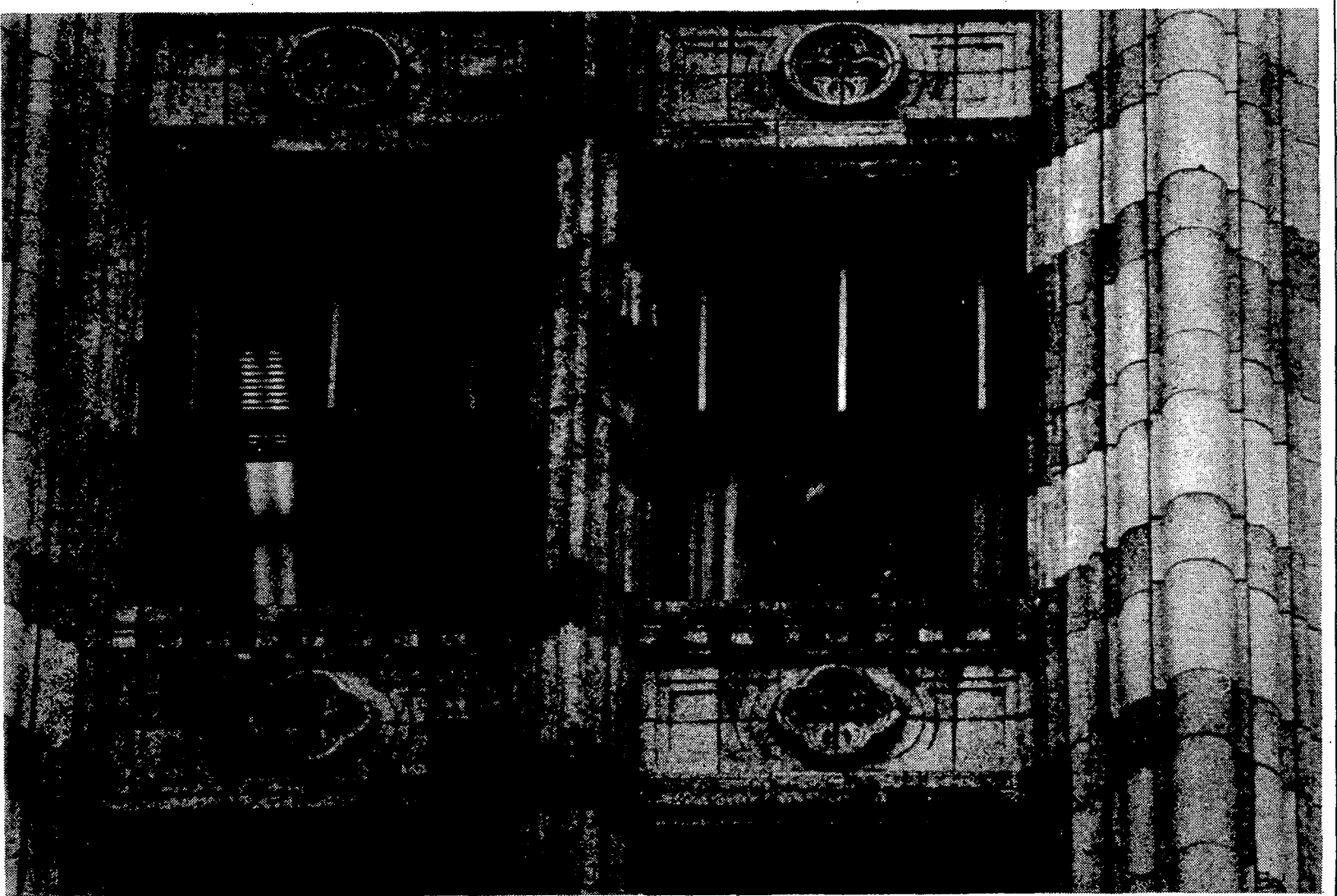
that public interest groups and industry often "talk past each other," but that that is no reason to stop the talking. He agreed that the department as a whole should stop using "this blasted jargon," but that it had to work both ways. "Some of the public interest groups were over their heads technically, but industry is out of it sociologically," he explained. "We must get to the point where at least everyone is floating under the surface at the same level."

As to whether the overall results of the conference will make an impact on the upcoming Domestic Policy Review of the solar energy, or the 1980 budget, "The jury is still out," commented Jonathan Gibson, of the Sierra Club and one of the members of the Executive Committee who helped put together the conference. On that point, we will have to wait and see.

Christy Macy is associated with the Government Accountability Project of the Institute for Policy Studies, which runs a program of support and legal advice for prospective whistle-blowers. The project can be contacted at 1901 Q St., NW, Washington, DC 20009.

Simmering Balkan conflict emerges when Croatians seize German consulate here in Chicago.

A hostage waves from window of the German consulate. Croatian nationalists seized the consulate in order to bargain for the release of a prisoner held in Germany.



Ken Firestone

LIFE IN THE U.S.

NUCLEAR POWER

People in small New York town down in the dumps

By Franklin Douglas

WEST VALLEY IS A HAMLET with no stoplights, a general store, and a school that houses kindergarten through high school. At night townspeople gather in the West Valley Hotel bar, the only one within ten miles. Dairy farms dominate the local economy and gentle hills, thick forests and streams make Cattaraugus County an attractive place to vacation. Yet something within this community has caused New York State to become the victim of a nuclear blackmail threat from the federal government.

West Valley, N.Y., is not a science-fiction site. The town, 35 miles south of Buffalo, is the location of a closed nuclear fuel reprocessing plant that was used to recover nuclear fuel from the atomic wastes of power plants and government nuclear weapons programs. New York and the U.S. government are now wrangling over who is responsible for safely storing 600,000 gallons of highly radioactive liquid wastes and two million cubic feet of low level wastes—the legacy of the plant's unprofitable operation from 1966 until 1972.

The wastes will remain radioactive and deadly for 800,000 years, scientists estimate, but steel tanks liquid wastes are stored in will last only 40 years. Over 10 percent of similar government-owned waste tanks have leaked.

The price tag for safe storage could be \$600 million, according to expert testimony in Congress in 1977, or more than \$30 for every person in New York. This would be the largest corporate bailout in American history. How did New York, a state with serious fiscal difficulties, get into a \$600 million mess that could conceivably bankrupt it?

Nuclear fuel services evolution.

New York's saga of nuclear fuel reprocessing began in 1962, when the state government leased a 3,300-acre site to Nuclear Fuel Services, Inc. (NFS), a subsidiary of Getty and Skelly Oil. Then Gov. Rockefeller emphatically supported the effort, hailing NFS at ground-breaking ceremonies in 1963 as a "major contribution to transforming the economy of Western New York, and indeed, the entire state." Fifteen years later, the Governor's prediction has come perilously near realization.

The only commercial reprocessing plant ever operated, NFS never earned its owners a cent. In six years the plant lost \$42 million removing plutonium and uranium from spent nuclear fuel rods and nuclear weapons waste. NFS president Ralph Deuster closed the plant in 1972 for decontamination and expansion. (Projections showed the plant could be profitable if it expanded.)

The plant never reopened. Nuclear Fuel Services' inability to meet occupational radiation health and environmental standards had a far greater impact on its future than the corporation's deficit.

While the plant was closed Attorney General Louis Lefkowitz grew concerned over NFS employees' cancer risks and possible genetic abnormalities from radiation. Reports of careless plant procedures resulted in Lefkowitz's intervention on

the NFS expansion application in behalf of the Sierra Club in 1974.

David Pyles was employed at NFS from 1967 until just before it closed in 1972. "I left because the plant's operating procedures became so sloppy and poorly run," said Pyles, who lives in Holland, 16 miles from West Valley. Pyle's radiation exposure levels are a good example of careless operating procedures. In his first two and a half years of work he received six rads of radiation exposure. In his last two and a half years he received 19 more rads, or three times as much and dangerously close to maximum allowable levels.

According to Rep. Stanley Lundine (R-NY), who represents West Valley, 60 to 100 cases of overexposure occurred at NFS. Pyles and others are plainly worried: "I've been hearing more and more about the health effects of radiation that take 15 to 20 years to show up." Pyles claims that the radiation levels at NFS were the worst in the industry. He wants the government to monitor the health of former plant workers, a call duplicated by many in the area who desire government health studies of radiation. "I'm thinking of having more kids and I just don't know what they'll be like because I worked at NFS," said Pyles.

Another questionable practice was NFS' use of temporary workers from employment agencies in Buffalo. These people were shipped to West Valley for use in radioactive "hot spots" where permanent employees couldn't be used. They were often exposed to annual maximum doses of radiation in one week, sometimes in only a few minutes. They were paid for the day and sent back to Buffalo, unaware of possible future complications.

And in 1975, the State Department of Environmental Conservation (DEC) discovered that one of the trenches holding low-level wastes was leaking radioactivity into Cattaraugus Creek, which flows westward into Lakes Erie and Ontario. Six million people draw drinking water from the two lakes.

As a result, permits for expansion were never issued, though storage and maintenance operations continued at the plant after 1972, and reprocessing facilities lay idle as they are today. In 1976, the federal Nuclear Regulatory Commission ruled that the facility would not withstand earthquakes that may occur in the area on the average of once every 750 years—the wastes will remain poisonous for 800,000 years. A quake might spill 600,000 gallons of waste into Cattaraugus Creek and then into Lake Erie, killing all life in the lake and making its drinking water poisonous.

Soon after the seismological report was released, NFS president Ralph Deuster notified New York that the company was pulling out of West Valley when its lease expired in 1980. Pursuant to the original agreement between the state and the company, the responsibility is now borne by the citizens of New York.

New York Representatives Ted Weiss and Stanley Lundine, and Commissioner James LaRocca of the State Energy Office now insist that the federal government pay for decommissioning the plant, selecting a safe permanent storage place for the materials out of state, and for permanent storage, although no safe method has ever been devised. However, the U.S.

Ben Achterberg



The federal government says that the nuclear fuel dump in western New York will cost \$600 million to clean up. But they will foot the bill only if they can store additional waste there.

Department of Energy (DOE) has its own tentative plans for West Valley.

Cattaraugus County controversy.

Many people of West Valley and surrounding communities want NFS' plant operations to start again and nuclear development to proceed in West Valley. The nation's first experimental solidification plant for nuclear wastes could be located in West Valley, as well as the first deep burial site for wastes. Town of Ashford (West Valley is part of the town of Ashford) Councilman Fred Horning believes "moving the wastes would just put the problem in somebody else's backyard. The government should spend the money on solving the issue here."

The problem boils down to money. NFS has paid over 16 percent of local taxes for education, fire protection, and other expenses since 1966. Townspeople were employed at the plant and as town supervisor Bud Williams sees it, "The people around here don't understand nuclear, but they do understand taxes."

Real estate values have been sharply affected by NFS since radiation leakage was revealed in 1974. Bud Williams plain-

tively asked, "Where did it all go wrong? The plant was supposed to do great things for our little town." Williams, a six-footer with a crew-cut and black-framed glasses blames the declining opinion of West Valley on bad publicity from the "media," but adds, "Sixteen years ago Rockefeller sold us a bill of goods, and nobody knew what would happen."

When the U.S. Department of Energy held the first in a series of town meetings to be held around the country in West Valley on March 18, speakers from West Valley were moved to defend their town. Robert Niver, the district principal, talked of the very few handicapped children born in the district. George Nudack, a private citizen addressing the large crowd, reporters, television cameras and politicians at the hearings, spoke of a school district that resisted consolidation, the town spirit of the Volunteer Fire Department, and the Town Historical Society. "We don't have deformed babies here. We have a nice town."

Despite the presence of such heavy political hitters at the meeting as Rep. Stanley Lundine, Rep. Ted Weiss, a leader in

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regulating radioactive transport, two state senators, two state assemblymen, high level DOE bureaucrats and environmental leaders, the people of West Valley remain distrustful, and perhaps confused by years of broken promises and conflicting testimony. No consensus was reached on a future course of action.

One young farmer built like a football lineman and wearing a John Deere cap over his short red hair angrily criticized the hearings: "They haven't done anything here and I don't know what they're doing here. I've been a farmer all my life, I've worked at the plant. They don't tell you anything. I worked there and all they said about radiation was 'Don't worry about it—you're getting paid.' In my opinion, if they left it as a farm they would have been a lot better off. But now that they're here we have to live with it. If it was up to me...hell, we should have told them to shove it up their ass 13 years ago."

Jess Present, New York Senator representing the area, also spoke at the town hearing but refused to commit himself, declaring that action on the wastes would have to be left to the experts. Present is a five-term senator, and like all successful politicians, well in touch with the prevailing mood in his district. The Senator's major concern is that NFS is the largest industry in the area. If the state takes over West Valley in 1980, West Valley loses its tax base and its schools will suffer. As Town Supervisor Williams said, "We can't touch, see, or smell the stuff (radiation)—maybe it does something to us, but we're not going to see it now."

Others see the radiation as a danger to residents and former workers. Persistent calls were raised by local residents for the federal government to undertake a health study on the effects of radiation on local people.

Rumors float around the otherwise quiet village concerning deformed babies, of the strange-looking deer shot near the plant so altered by large growths over its body that the hunters would not touch it.

The concern is very evident. Norma Becker, in her mid-twenties, has lived in West Valley for ten years. Becker is worried about her eight-week-old child. "I don't know what's going to happen with her growing up around here."

Much of the concern in Cattaraugus County is centered in Springville, a larger town than West Valley, with a shopping district. Nine miles from West Valley, it

ists warning that the federal government and New York State were about to make a deal. In return for bailing out the state's \$600 million liability in West Valley, the U.S. DOE would place the permanent nuclear waste storage site underground in New York. In addition, the West Valley reprocessing plant would be changed into the first nuclear waste solidification facility in the nation. Millions of gallons

"We can't see or smell the stuff, who knows what it's doing to us?"

is the first population center downstream from the plant. This winter, a seventh grade honors student named Amy Rupp studied birth defect statistics at Springville's Chafee Memorial Hospital with the aid of her mother who is a nurse at the hospital. Her conclusions were astounding, widely reported in the media, but not generally accepted because of her youth.

In 1976 New York State averaged 1.11 birth defects per 100 live births, not including miscarriages and still-borns. In Erie County, which includes nearby Buffalo, the defective percentage was slightly lower, 1.08 per 100 births. In Chafee Memorial Hospital, 20 out of 517 births were defective, a rate of 3.9 percent or nearly four times more than surrounding areas. One of the hazards of radiation is genetic defects which result in damaged offspring.

Dr. Goetz Oertel, leader of the town meeting, and acting assistant director of DOE's Division of Waste Management, while realizing that people wanted a comprehensive health study on radioactivity effects, said, "We have no study planned."

Nuclear blackmail.

Nuclear waste disposal and West Valley began heating up as a political issue in New York late in January, two months before the DOE's town meeting. Lorna Salzman of Friends of the Earth distributed a letter to other anti-nuclear activ-

ists warning that the federal government and New York State were about to make a deal. In return for bailing out the state's \$600 million liability in West Valley, the U.S. DOE would place the permanent nuclear waste storage site underground in New York. In addition, the West Valley reprocessing plant would be changed into the first nuclear waste solidification facility in the nation. Millions of gallons

of deadly wastes would be shipped from all over the U.S., through the ports of New York and the curving country roads of rural Western New York to be solidified at West Valley and buried nearby. Fourteen states have already announced formal opposition to the federal government burying nuclear wastes within their boundaries. Six states have undergone DOE surveys as potential sites for a waste disposal facility. But the feds have a \$600 million bargaining chip that they can use to pressure West Valley into accepting the waste plan.

New York Energy Office Commissioner James LaRocca downplayed the fears of Salzman and others as late as March 14. He went so far as to joke about the unsuitability of the West Valley site, describing the location, he remarked that although he was not a geologist, he knew that if wastes are placed in a shallow trench on top of a hill, and if it rains constantly and there is a stream (Cattaraugus Creek) downhill, then he would expect wastes to seep out of the trenches into the water.

Two days later the no longer jovial LaRocca hurriedly called a press conference announcing that "New York yesterday received what appears to be threat of nuclear blackmail from the federal government." LaRocca added that the conditions for federal help at West Valley were "not acceptable" and that "creation of a ...national or regional waste repository

in this state will not occur." Two days after the press conference the DOE's public meeting in West Valley was held, allegedly to decide the alternatives. The impact of that meeting was lessened by the Task Force Report, which seemed to decide the alternatives in advance.

Concern over West Valley has since coalesced into legislative proposals. A bill authored by Assemblyman Hoyt that would prevent the establishment of a permanent repository without legislative approval passed the Assembly on June 5, 1974.

The Hoyt bill declares that "a permanent nuclear waste repository has potential health, safety and fiscal ramifications for years to come."

However, the bill stalled in the Senate due to Buffalo's Sen. James McFarland. Seniority gave McFarland the ability to kill any measure coming before his committee. He did so with Hoyt's bill, claiming the nuclear issue is "pure politics."

A new DOE Task Force report will be released in the fall with final recommendations concerning permanent waste disposal and West Valley. Later in the year Congress will vote on the matter.

Further complications arose with the release of preliminary findings in the report prepared for President Carter on July 11 by the President's Office of Science and Technology Policy. It reports that salt formations are inappropriate for permanent waste storage. Salt, which exists in the Salina Salt Basin throughout western New York had been the prime strata considered for waste disposal. The two remaining geologic formations considered—shale and granite—each present difficulty. Dr. Marvin Resnikoff, an expert on nuclear waste for the Sierra Club stated, "There are major problems with any type of formation. The experts are going to spend time going through the geology textbooks, ticking off one unfeasibility after another."

"West Valley stands as a monument to the nation's failure to close the nuclear fuel cycle," said James LaRocca. A solution is desperately needed.

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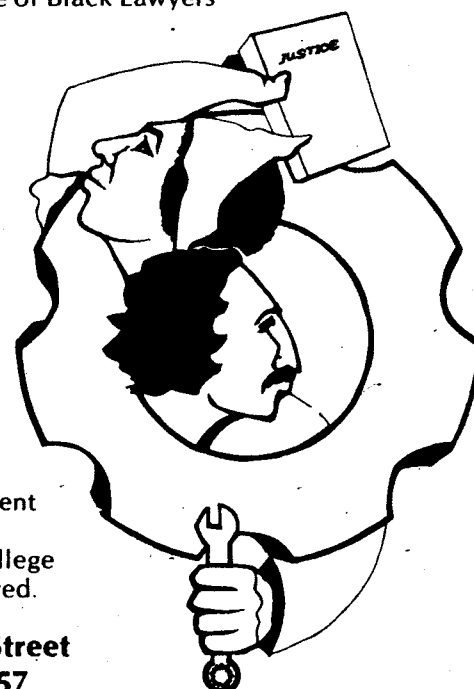
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B. Traven almost meets A. Hoffman

THE MYSTERY OF B. TRAVEN

By Judy Stone
William Kaufman, Los Altos, Calif., 1978, \$6.95 hard cover

For nearly half a century (at least since the first American publication of *The Death Ship* in 1934), the identity of B. Traven has been an intriguing and, to some, infuriating literary mystery.

As his output of novels (e.g. *The Treasure of the Sierra Madre*, *The Bridge in the Jungle*, *The Rebellion of Hanged*) novelettes and short stories gained him an international reputation, it became known that Traven wrote in German, lived in Mexico and dealt with the world only through intermediaries—chiefly one Hal Croves, who presented himself as Traven's literary agent.

Many believed that Croves was actually Traven, but the vehemence and persistence of Croves's denial shook the foundations of consensus. As late as 1962, reporters watching the filming of Traven's *La Rosa Blanca* in Mexico thought they had discovered "the real Traven" in the person of Philip Stevenson, an American screenwriter who had done the adaptation for the film and was on location for consultation.

Some wondered in print why it mattered who "the real Traven" was. Others wondered why a man whose work had achieved such wide and lasting success should go to such lengths to conceal his identity. There were rumors of "a disgraceful incident in his past" and of "criminal charges still pending against him" somewhere.

Even after new works stopped appearing in print (the last of Traven's novels to be published in the U.S. came out in 1975, but they had all been issued in England decades before) the mystery continued to intrigue a second

generation of Traven fans. One of these, Judy Stone of the *San Francisco Chronicle*, got involved through her curiosity about the "disappearance" of the film version of *La Rosa Blanca* (a mordant attack on foreign exploiters of Mexican oil), which was not released for seven years after its completion, and then only for a single, short Mexico City showing.

Stone obtained an interview with Croves and came to the conclusion that he was, in fact, Traven. What propelled her into the years of further research that produced her book, *The Mystery of B. Traven*, was the writer's obsession with anonymity and, as a corollary, the story of the young German revolutionary who escaped from the White Terror that crushed the Munich Soviet of 1919.

She has succeeded to a remarkable degree, not only in clearing up the mystery, but in bringing to life an important and little-known chapter of the history of the revolutionary movement that followed WWI. *The Mystery of B. Traven* also contains a critical chapter on "The Novels of B. Traven," a "Sampler" of quotations from them, and an excellent bibliography of works by and about Traven in German, Spanish and English, which will be of value to critics and historians, amateur or academic. —Janet Stevenson

UNDERGROUND: In Pursuit of B. Traven and Kenny Love
By Jonah Raskin
Bobbs, Merrill, 1978, \$8.95

Underground opens and closes in the Mexican jungle—the scene of B. Traven's epics of the struggling peasantry, and our narrator's last stop in his search for details about Traven's life. In be-

tween we are taken on a fugitive ride through the political struggles of the late '60s and early '70s.

There are three main characters: Kenny Love (modeled on Abbie Hoffman), Jonah Raskin (modeled, we may assume, on the author) and B. Traven, whom we never see, but whose presence is continuously felt.

The plot pivots on Kenny Love's flight from the police after being arrested for selling forged passports. For reasons never made explicit, Raskin decides to join Love in his flight, and the two take off across America, accompanied by Love's companion, Annie, and Raskin's incomplete notes about Traven.

We don't really know much about the personal lives of revolutionary leaders. Mao's first wife was butchered by the Kuomintang. (Did he cry?) Chou-En-Lai and his wife made the Long March together. (Did they fight?) Lenin and Krupskaya were separated at different times when he was forced to go underground quickly. (Was she afraid?) Che Guevara, in the Bolivian jungle, had a passionate affair with the guerilla Tanya. (Did he ever plan for the future?)

The characters in *Underground* have weaknesses, which Raskin does not hide. But they, like Mao and Chou, Lenin, Krupskaya and Che, are real people, subject to real personal struggles, in times when they are alone and running scared.

(There is an interesting contrast between Traven and Love/Hoffman in the matter of secrecy. Traven left no clear records even in Germany, dropped false clues, assumed disguises and pseudonyms. Love becomes secretive only when forced to by flight. But Traven was a man who had fought and risked and almost been killed. Raskin never makes us feel that kind of mortal danger for Kenny Love.)

After a near escape from the police, Love and Annie decide to stay in San Francisco. Raskin heads down to Mexico, locates Traven's widow, who lets him look through Traven's papers. In the trunk that contains them, Raskin finds this note:

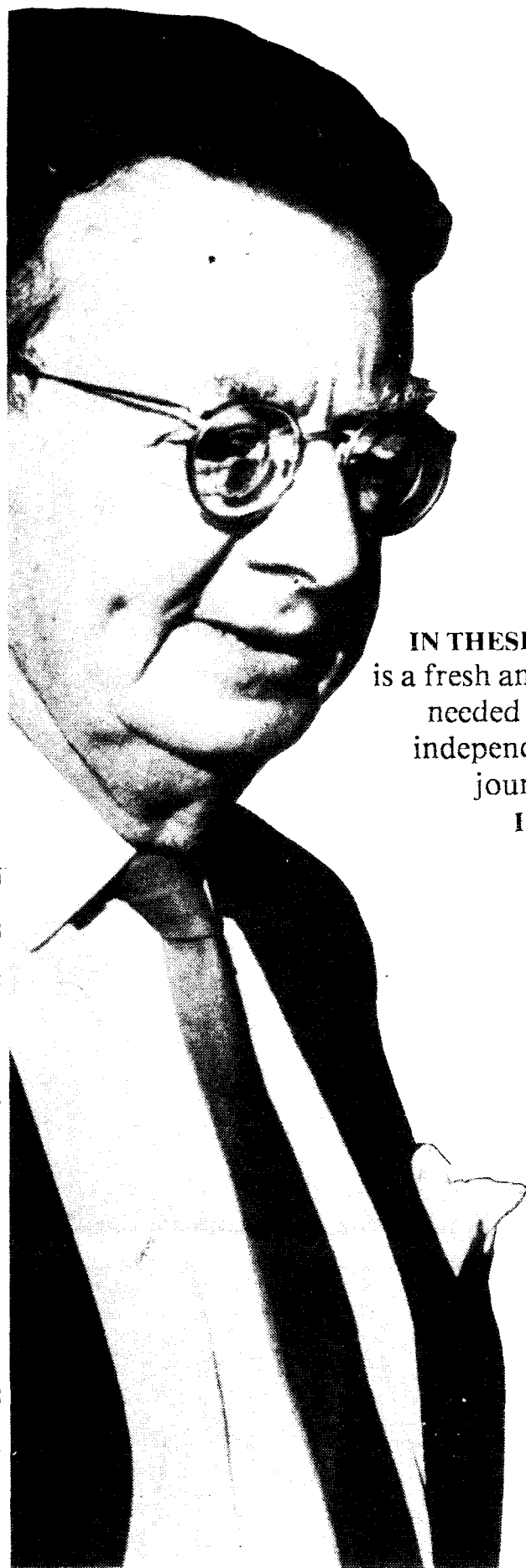
If you find this document, you have come too far. You should not ask for a biography from me. ...If I cannot be recognized and understood in my writings, then I am not worth a damn and neither are my books. Leave my things and go in peace, my friend.

For several days Raskin sits at his typewriter, but writes nothing. Around him a peasant rebellion is breaking out. Cruz, the guerilla, comes for him and asks if he is ready.

...I am ready. I lift my hands from the typewriter. "Si. Vámanos," I whisper. The jungle hears me. The jungle understands. And we ride.

The Americans in *Underground* identify with the Vietcong. But they also remind us that the history of underground political movements stretches back to the early Christians, whose members hid under the Imperial City in catacombs. And if the American Raskin's fugitives traverse has become a sterile, reactionary place, it is still, just below the surface, a place filled with a rich heritage of struggle.

—Richard P. Greenfield
Richard P. Greenfield is a freelance writer in Brooklyn.



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Records

Devi Singh would be more likely to go to a baseball game than to a sitar concert. But the Indian influence is still strong.

THE REASON I LIKE YOU

Dev Singh and Gaynor Jenkins
(Rampur Records)

"Music is like a religion to me. It's a 24-hour state of mind."

Dev Singh is a folksinger who first appeared on the San Francisco folk scene more than 15 years ago. He's still performing in local clubs and coffee houses and has just released a record on Rampur (his own label) called *The Reason I Like You*, in collaboration with Welsh singer/songwriter Gaynor Jenkins. (There are no duets. Each of them fills one complete side.)

Singh's music is an interesting mix of different influences—traditional folk, 1964 folk revival and contemporary pop music. His background is also of mixed traditions. His father was an Indian from the Punjab and his mother, of English-Irish-Scotch descent.

"We were raised on Indian food and music," he says. "Culturally speaking, I'd say I'm American. I'm more likely to go to a baseball game than a sitar concert. But the Indian influence is there. I wasn't even conscious of it till I listened to some of my music."

Born and raised in Sonoma County, Singh's first recorded appearance came when he was 15 and played at a benefit concert in Berkeley: one of his trademark songs, "Baby-o," performed on the African mouth-bow.

Fourteen years after that debut, Singh was traveling in England, heard Gaynor Jenkins playing her own songs, and suggested that perhaps sometime they could do an album together. "When I came back to the States, I started recording a song of hers called 'The Reason I Like You.'" And one morning, she called up and said,

"O.K., I'm coming over." That's how it happened."

Dev Singh plays an excellent guitar accompaniment to his voice. His arrangement for the title song takes the listener through instrumental verses that swing between an East Indian harmonic jam and a low-keyed James Taylor back-up. His lyrical abilities show best in "Sad Cafes." And the cultural mix becomes most evident in "Blackbird," a Beatles number that he performs on a traditional American instrument—the autoharp—with chords based on an Indian scale.

On Side Two, Gaynor Jenkins displays her abilities as songwriter, vocalist, pianist and guitar player. The simple, effective tone of her voice expresses real feeling, not just popular culture mush. The harmonies in "I Don't Need That Kind of Love" (almost a personal relationship protest song) strike one as a cross between Joni Mitchell and traditional Balkan music.

Jenkins is a very exciting person, according to Singh. "She has all these experiences and sits down and writes songs about them. She's studied to be a teacher, was an interpreter in France, has traveled all over Europe and has fairly strong political views. She's working now in London with children in music."

Future recordings by Singh and/or Jenkins may have a more popular sound, but it's clear that he wanted to release his first album in the more traditional folk genre—the sound he's been most familiar with all through his career. It's also a pleasant surprise to find a folk revival, early '60s musician who still performs in that style and isn't ashamed to admit it.

—Ed Schoenfeld
Ed Schoenfeld is a free-lance writer in Berkeley who reviews folk music for IN THESE TIMES.

Rampur Records is at 2018 Delaware St., Berkeley, CA 94709.

HONKY TONK MASEQUERADE

Joe Ely
(MCA Records)

Country music is so loaded with "greats" and is such a big business that it's hard sometimes to separate the talent from the desperate imitators.



Marshall Chapman

Country singer Joe Ely hasn't been given his due. And Mick Jagger has at last earned his.

Joe Ely does not create that kind of problem. He and his very hot band have produced two outstanding albums in the last year, and just because they haven't done well on the charts doesn't mean they are not to be reckoned with.

Ely is a talented singer/songwriter who has the ability to create music in styles that range from Tex-Mex waltzes ("West Texas Walt") to electric blues ("Johnny Blues") to ballads ("Because of the Wind"). His songs are fresh and remain so after continuous playing. His six-man band captures a spirit and a sound that is completely energizing, never lets up and is particularly distinguished by the playing of lead

guitarist Jesse Taylor.

Honky Tonk Masquerade doesn't have one piece of filler on it. Every cut represents specific emotional and musical feelings and is presented by a band committed to producing a group sound rather than solitary voices.

Ely's group is one of many bands coming out of the Southwest that haven't been given the exposure due them. That's a shame because they should be listened to by anyone interested in contemporary American music.

—Joe Heumann
Joe Heumann reviews music and films regularly for IN THESE TIMES.

SOME GIRLS

The Rolling Stones
(Rolling Stones Records)

If you're going to bill yourself as "The World's Greatest Rock & Roll Band," the boast must have some basis in fact if it is not to become pathetically self-delusory, as in the case of "The King" (Elvin Presley) during the last years of his life. Whether it's because they've been pushed by

the punks' critique of them, or recognized that their recent albums have been mediocre or been stirred by a renewed creativity, the Rolling Stones' new album, *Some Girls*, is their best in years.

One of the prime reasons for this is that Keith Richards has finally found in Ron Wood a musician whose guitar work complements his own. Wood's predecessor, Mick Taylor, was a talented lead guitarist, but his spacey melodic runs were not particularly suited for the jagged Chuck Berry-style around which Richards has molded the distinctive Stones sound. With Wood and Richards repeatedly throwing out fine guitar riffs, and drummer Charlie Watts sounding great, *Some Girls* frequently drives along with the intensity of vintage Stones.

Yet, as Mick Jagger recognized when he observed recently that "people expect a lot more of us than they do everybody else," a new Rolling Stones album must be compared with the band's entire legacy, not just their recent disappointments or the current fare of other groups.

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song. But some jokes aren't funny.

Despite the absence of a blockbuster song, *Some Girls* is an album worth getting

Although other groups have risen and the Stones have slipped, they once were the "World's Greatest Rock & Roll Band." The accolade rings truer today than it has in years.

—Bruce Dancis

Bruce Dancis writes regularly for *IN THESE TIMES* about rock and reggae music.

JADED VIRGIN
Marshall Chapman
(Epic)

Chapman, a Southwesterner who's paid her dues in the New York club scene, tackles all kinds of styles here—successfully. She fuses honky-tonk and straight rock'n'roll on "A Thank-You Note (Thank You Hank)," a tribute to Hank Williams, and it isn't corny. Her "You're the One for Me," a love song whose lyrics are its soundtrack, is light reggae. Her covers—Bob Seger's "Turn the Page" and her astonishing version of Johnny Cash's "I Walk the Line"—are original interpretations.

In "Why Can't I Be Like Other Girls?" Chapman recounts her rock journey:

*I was playing guitar down at the
"Double-knit Bar" and
them cats was makin' eyes at me*

*"Say, hey, little miss, sing one
by Kris
and I'll help you make it
through the night"*

*But I had written this song
and when he couldn't sing
along*

*I knew I had it comin' all right
She knows she's not like "other
girls," but that knowledge has
evoked her strength. Eclectic with-*

out being skittish, passionate without being pretentious, Chapman comes right at you. This woman with a man's first name plays good rock.

—Carlo Wolff

HAILE I HYMN (Chapter I)
I Jah Man
(Island) import

In what may be the first reggae concept album, I Jah Man (T.

Sutherland) has fashioned a compelling paean to Jah and Rastafarianism that fuses ecstasy and slickness.

Like other true believers, I Jah Man trusts that the spirit of Haile Selassie lives on, still beckoning the lost African tribes to religious unity in the promised land—Africa. The singer fashions prayers of music and text, in mystical testament to the power of the word.

This is not "roots" reggae, a la Burning Spear of U Roy. I Jah Man has corralled some of the best reggae studio musicians (Earl Lindo, Robbie Shakespeare, Sly Dunbar—and musical synthesizer Steve Winwood on keyboards) to shape a fluid, seamless work.

In the four songs here, I Jah Man concentrates on his faith as if he believed that by singing, he could keep Haile Selassie alive.

This is not "political" music like Peter Tosh's or the early Wailers. Although it offers glimpses of a religious world infused with politics (the promised land, for Rastafarians, means a pure world stripped of the commercialism of "Babylon"), it does so in a setting of beautiful, universal music.

—C.W.

MERCHANT'S LUNCH
The Red Clay Ramblers
(Flying Fish Records)

In the first three decades of the 20th century, before musicians like Jimmy Rodgers, Bill Monroe and Hank Williams wrought major changes in American country music, scores of rural string bands playing the old banjo and fiddle tunes flourished in the southeastern U.S.

These bands ranged from little family or neighborhood groups who played for local parties and dances, to highly talented and inventive performers like Gid Tanner and his Skillet Lickers, who augmented personal appearances with live radio shows and recorded extensively in the early days of the phonograph. With the advent of Bill Monroe and his bluegrass music, the clippity-clop of the old "clawhammer-style" banjo gave way to the freight train rhythms of the new three-finger picking, pioneered by Earl Scruggs. The "old time" bands faded back into the hills whence they came.

In the '50s, a group of folklorist musicians calling themselves the New Lost City Ramblers sparked a revival of "old time" music through extensive concert and recording work (still available on Folkways Records). They

The Red Clay Ramblers are a throwback to the old time string bands that used to flourish in the Southeast.

faithfully reproduced the letter, if not the full spirit, of the old time bands: the acoustic instrumentation, unpretentious style and frequently humorous lyrics.

Today bluegrass or "newgrass" bands still dominate the string-band field, often electrifying their sound to some degree. But there is a growing number of musicians and listeners who have turned to the older, more "down home," but not necessarily less energetic styles.

With their new release, *Merchant's Lunch*, the Red Clay Ramblers demonstrate that they are not only the best "old time" stringband recording today, but also skillful interpreters of early jazz.

The best of the old bands wrote original tunes to supplement their traditional material. The New Lost City Ramblers played many of these songs, but contributed none of their own. In their last several albums the Red Clay Ramblers have revived this tradition of originality, and here include three new tunes, including the title track: the hilarious account of a confrontation between Broadway Brenda and a road-weary trucker at a sleazy Memphis bar and grill.

*I looked her up and over and
she did the same to me,
Her teeth were green, as green
as garden peas,
She shaped her hair with dish-
pan fingertips,
An earthquake of excitement
shook her Krakatoan hips,
Her hands went to her bosom,*

*a hush fell on the crew,
An acre of Brenda lay exposed
to view...*

Another fine composition by banjoist Tommy Thompson is "I Got Plans," a wistful look at the pipe dreams of a romantic drifter with a weakness for whiskey and ladies of the night.

The classic "old time" bands are represented by Charlie Poole's hobo song, "Milwaukee Blues," featuring mandolin virtuoso Jim Watson, and "Rabbit in the Pea Patch," an Uncle Dave Macon tune sung by fiddler Bill Hicks.

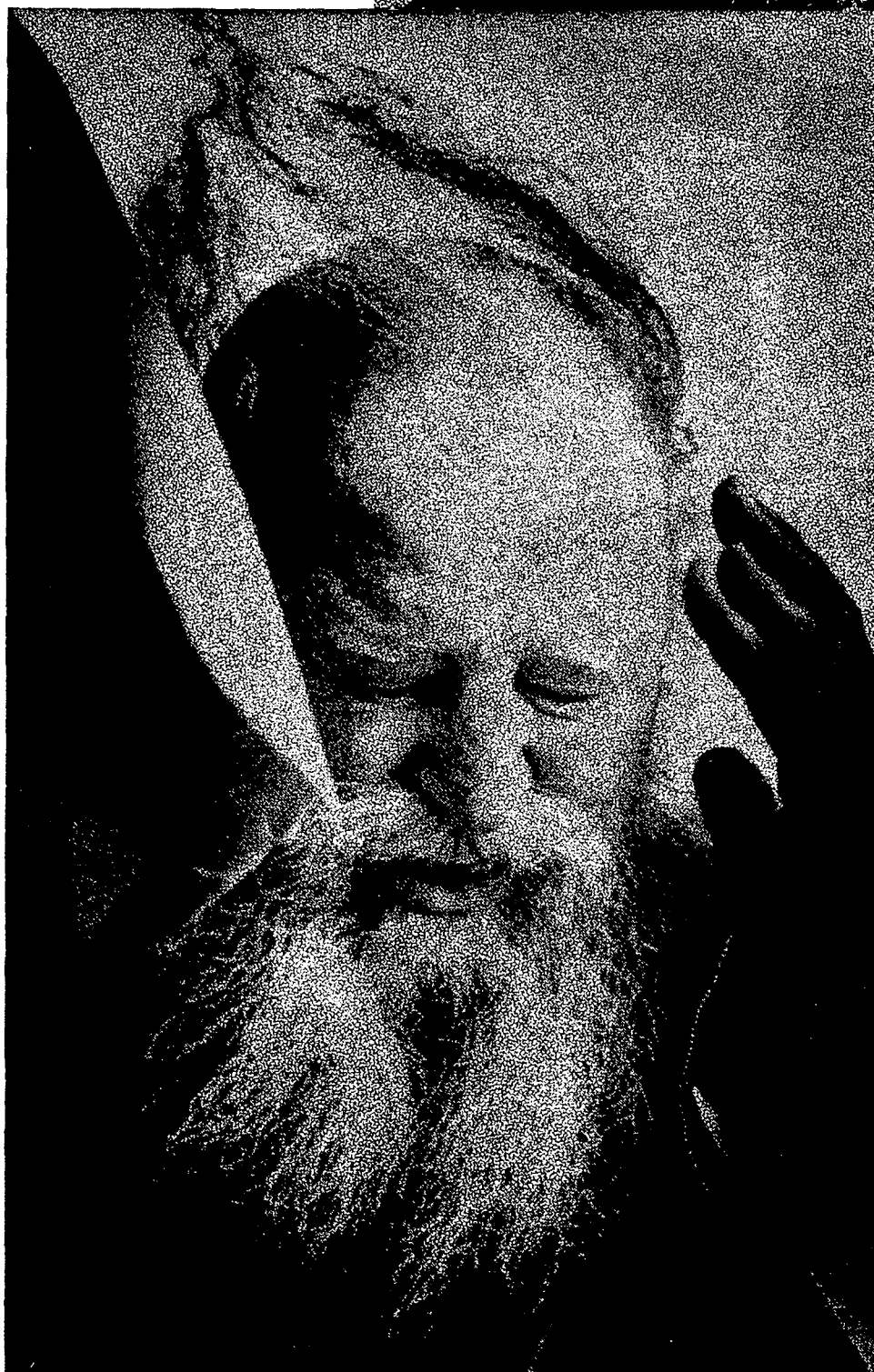
The addition of Jack Herrick on string bass and trumpet, and Mike Carver on piano has brought an infusion of jazz material to the Ramblers, including Fats Waller's "Sweet and Slow," and the bluesy "Woman Down in Memphis." Here the boys make interesting use of some unusual combinations of instruments: banjo and piano, and trumpet and fiddle, interweaving and complementing each other. A standout effort is Mike Carver's solo piano and vocal on the old standard "Melancholy," a feat not often attempted these days, carried off by Carver with masterful grace and artistry.

The R.C.R. have always included gospel material. Here they perform the hymn "Daniel Prayed," a capella, with stunning four-part harmony. The band's vocal talents are prominently displayed throughout the album, in the nicely arranged background harmonies and in the compelling leads, especially Tommy Thompson and Mike Carver. Thompson sings in a gruff, unpolished style; Carver's voice is sweet and high. Each is well suited to the material he performs. With Watson and Hicks also singing lead on a tune or two, the Ramblers show more vocal variety and inventiveness than any other present-day stringband I've heard.

This is a record that will delight anyone who likes the plain unvarnished sound of acoustic stringed instruments played by modern masters. It is particularly recommended to bluegrass fans who might like to know what came before Bill Monroe, and where it is going today. —Joe Stevenson
Joe Stevenson is a member of a musical group called the Famous Potatoes.

The Red Clay Ramblers





RUSHMORE PALES BEFORE CRAZY HORSE MEMORIAL

Korczak hews South Dakota mountain to commemorate Sioux chief who led fight against Custer. Begun 30 years ago, his life's work will be completed by future generations.

By Tyna Thrall Orren

Americans have traditionally memorialized their conquering heroes in stone. But the biggest stone monument to an American hero will honor a man many Americans once regarded as a national enemy: Tashunka-Tico-Crazy Horse—the war chief who led the Sioux and Cheyenne against George Custer at the Little Bighorn.

In the Black Hills of South Dakota, just 20 miles from Gutzon Borglum's portrait heads of George Washington, Thomas Jefferson, Abraham Lincoln and Theodore Roosevelt, a 563-foot equestrian statue of Crazy Horse is being blasted into Thunderhead Mountain by a man who first came to the Black Hills to work on Mt. Rushmore.

The man is Korczak Ziolkowski.

"A little Polish orphan boy from Boston," he calls himself, but "little" is not a name most people would use to describe Korczak.

This is a man who demands a mountain to work on. A full, greying beard covers him from his cheeks to his chest. When it opens below the mustache, Korczak's voice bellows forth in the elegant rhythms of his native city: an unexpected blend of Beacon Hill and Thunderhead Mountain.

So the white man will know...

The idea for the monument came from Chief Henry Standing Bear, a nephew of Crazy Horse. Standing Bear, who also worked at Mt. Rushmore, came to feel

that his people and their struggle should be memorialized in Black Hills Stone. So in 1939, after consulting with fellow Sioux chiefs, he asked Korczak to carve a monument to Crazy Horse, "so that the white man will know that the red man had great heroes also."

The first problem Korczak and the Sioux chiefs faced was money. They had none. "Henry Standing Bear," as Korczak recalls, "didn't have enough to eat." So the Crazy Horse Memorial had to wait for nearly a decade.

In 1947, Korczak returned to the Black Hills and sat down with Standing Bear and five survivors of the Battle of the Little Bighorn. Korczak listened as the old warriors described Crazy Horse, who had never been photographed. "He was a small man, less than six feet tall." Although entitled to elaborate regalia and a flowing war bonnet, he went into battle wearing only a breechcloth and a single feather.

From this description, Korczak built his model and the work on Thunderhead Mountain began. Henry Standing Bear touched off the first charge of dynamite on June 3, 1948.

Getting a piece of the rock.

How did Korczak get hold of a mountain to carve on?

The question raises a smile.

"Oh, boy!"

Korczak first bought 160 acres (not including the mountain) at \$25 an acre, just hoping he'd be able to get a mountain later. When a man from Custer, S.D., asked if he'd like to buy a mining claim

on 20 acres of land that included the mountain, Korczak jumped at the offer.

Still holding the mountain on that claim, he is technically "mining" up there. He must turn in an assay sample and do \$100 worth of mining work every year, or the land will revert to the government. (If his drilling and blasting counts as mining, he does his required \$100 per year every hour. Construction costs on Crazy Horse run from \$1,700 to \$2,000 per day.)

Korczak and his two sons do all the labor on the mountain. For years, it was Korczak alone, walking up the mountain every day, carrying enough equipment to blast out a road to the peak. Today, he has heavy Caterpillar equipment and his own electrical generating plant for drills and airhammers. But the labor is his and his sons'.

At present that labor involves very little sculpting. The many works on display in Korczak's workshop testify to his skill and sensitivity as a sculptor. But for now, work on the mountain consists first of drilling, then of blasting.

Throughout the summer of 1977, Korczak and his sons drilled half a mile of blasting holes in the part of the mountain that will form the head of Crazy Horse's war pony. They filled the holes with dynamite and set it off, throwing tons of Black Hills granite into the valley below and revealing on the mountain the pony's steep-angled nose and forehead.

What keeps him going?

The forms of horse and man emerge only slowly from the mountain rock. Korczak has been working on Thunderhead Mountain for 30 years, and still it takes

imagination to see Crazy Horse's war pony and its rider, his arm pointing defiantly out over the lands he fought to keep.

The years Korczak has worked with drills, airhammers, bulldozers and dynamite show in his sun-darkened face and grizzled beard and, most of all, in a twisted right elbow and two gnarled hands.

What has kept him at it?

You begin to understand when you hear him talk about the Indians, about their chief who—for him—represents their common struggle and their common fate. ("If you ever get me started on Indians...but...well, you'd never get out of here!")

Korczak intends the monument to be the focus of an Indian cultural center, consisting of a museum, a hospital and a university. He has already built an impressive small museum, and his study's walls are lined with memorabilia, including Henry Standing Bear's first letter, framed and hung in a place of honor.

In spite of countless hardships, including two heart attacks, Korczak has been kept going by the sense of honor he feels in being the man chosen to tell in stone the story of Crazy Horse and his people.

"I have the right," he declares in his husky, thundering voice, "to tell the story of a whole people!"

Will the granite-engraved saga be completed?

Korczak says, "Give me six more years."

Tyna Thrall Orren is a free-lance writer in California. This article is adapted from a longer version published in *Northliner* magazine.